

VOLUME XXXVI

AUTUMN 1958

UNIVERSITY
OF MICHIGAN

OCT 7 1958

PERIODICAL
READING ROOM

Public Administration

CONTENTS

ATTITUDES IN ADMINISTRATION 213

By F. T. Lockwood

THE TOWN CLERK: HIS TRAINING AND CAREER .. 231

By T. Headrick

COMMITTEE PROCEDURE 249

TRIBUNALS AND INQUIRIES: DEVELOPMENTS SINCE
THE FRANKS REPORT 261

By Geoffrey Marshall

DELEGATION IN LOCAL GOVERNMENT—RECENT
DEVELOPMENTS 271

By Dr. Peter G. Richards

QUARTERLY NOTES 279

Councils and Delegations to Committees; Membership
of the United Kingdom Atomic Energy Authority; Select
Committee and the N.C.B.; Indian School of Public
Administration; Association of Finnish Rural Municipalities

JOURNAL OF THE ROYAL
INSTITUTE OF PUBLIC ADMINISTRATION

PRICE 2s. 6d. NET

NOTES

<i>Letter to the Editor</i>	292
<i>Institute News</i>	295

BOOK REVIEWS

<i>Russian Political Institutions</i> (Derek J. R. Scott)	298
<i>Some Comparative Aspects of Irish Law</i> (A. G. Donaldson)	299
<i>Voluntary Societies and Social Policy</i> (Madeline Roofff)	300
<i>The Ministry of Pensions and National Insurance</i> (Sir Geoffrey S. King)	301
<i>Managers : A Study of their Careers in Industry</i> (R. V. Clements)	301
<i>Sixteen Questions about the Selection and Training of Managers</i> (Lyndall F. Urwick)	302
<i>Three Steps to Victory</i> (Sir Robert Watson-Watt)	303
<i>Parkinson's Law—or the Pursuit of Progress</i> (Professor Northcote Parkinson)	304
<i>Book Notes</i>	305
<i>Recent Government Publications</i>	308

PUBLIC ADMINISTRATION is published quarterly in March, June, September and December. The subscription rate is 30/- per annum (\$5 in the United States). Single copies may be obtained, price 8/6 each (\$1.25 in the United States). It is supplied free to members of the Royal Institute of Public Administration.

Articles and Correspondence should be sent to the Hon. Editor, D. N. Chester, C.B.E., M.A., Nuffield College, Oxford.

Books for review should be sent to the Royal Institute of Public Administration, Haldane House, 76a New Cavendish Street, London, W.1.

Journal subscriptions should be sent to the Royal Institute of Public Administration.

The advertising agents are Eversley Publications, 32 Craven Street, London, W.C.2 (Whitehall 4161), to whom all enquiries concerning advertising space should be sent.

PUBLIC ADMINISTRATION

VOLUME XXXVI . AUTUMN 1958

**JOURNAL OF THE ROYAL INSTITUTE OF
PUBLIC ADMINISTRATION**

Subscribe to the

INTERNATIONAL REVIEW OF ADMINISTRATIVE SCIENCES

Published quarterly since 1928

by the

**INTERNATIONAL INSTITUTE OF ADMINISTRATIVE
SCIENCES,**

205, rue Belliard, Brussels 4

- Articles from the most authoritative sources on a wide range of topics within the scope of Public Administration.
- Numerous leading and informative articles. Items of news on administrative activities throughout the world.
- Reviews of the most significant publications of current interest (more than a hundred items per issue).
Bibliographical monographs on selected administrative subjects.
- A regular feature covering the main events in the international field of Administrative Science.
- Since 1957, a completely new presentation. Three editions (English, French and Spanish). Merged with "Progress in Public Administration," a Review of Technical Cooperation, published since 1953 by the Institute.

Subscription : £2 17s. 6d. (£2 11s. 6d. to R.I.P.A. members).

For subscriptions in the United Kingdom, please write to :

**ROYAL INSTITUTE OF PUBLIC ADMINISTRATION,
HALDANE HOUSE, 76A NEW CAVENDISH STREET,
LONDON, W.1**

Attitudes in Administration

By F. T. LOCKWOOD

Mr. Lockwood is in one of the Finance Branches of the War Office. His essay was awarded the second prize in the Haldane Essay Competition for 1957.

IN the North of England Home Service some months ago, Sir Herbert Read spoke about "Art, Industry and National Decay." As a subject this might seem a far cry from a study of administrative attitudes, but in the course of his talk Sir Herbert developed some generalisations about modern society which present a special challenge to the administrator.

If one sentence can be taken to state his theme it is: "Fundamentally, not in America only, but throughout the world there exists a divorce between the creative or imaginative mind and the governing or productive mind." Although applied by him in detail only to the relation between the values of production and those of design in the particular sphere of industry—where he considers the former to be disastrously dominant—his general diagnosis of social schizophrenia seems equally appropriate to other aspects of the present-day scene.

From his subsequent remarks one gathers that Sir Herbert might perhaps be inclined to lump all administrators—in the public services at any rate—into the "governing mind" category; and it is certain that had he specifically done so, most people would not have disagreed with him. How many of us in those services would in fact refute such an indictment—how many indeed would recognise it as such? Could we as a profession boldly claim our share of creative minds; or perhaps to put it no higher, our share of creative moments? In so far as we could not, and more especially in so far as it would be generally agreed that we need not do so, we have the symptoms of the administrative variety of the general social malaise so aptly diagnosed by Sir Herbert Read.

For the interaction between the creative and the governing mentality is one of the most important issues for the administrator to understand. Only in this setting can the extent to which qualitative values must be given weight in day-to-day decisions be properly considered. It can, moreover, be shown that in a large administrative machine, of which a Government Department may be taken as the example, the creative principle will tend to lose ground to the antithetical element of production or control. The purpose of this essay is to demonstrate this; to discuss why such a trend once established seems frighteningly inevitable; to emphasise its quite disastrous effects and finally to consider what can be done about it.

A discussion of this nature might, in the interests of simplicity, tend to give the impression that controlling and creative minds were quite distinct instruments belonging to different types of people. Presumably we all embody in some degree these opposed and, what over-all should be, balancing principles. In practice, however—that is, in the way we apply our minds officially—a tendency to suppress the creative attitude will, once established, lead by a process of natural selection to the elimination as an effective official force of the kind of individual in whom that quality is pre-eminent. This

phenomenon is marked enough to permit, where it occurs in this essay, the device of personifying the two contending elements; but this very urge towards over-simplification does in itself emphasise the process by which such identification easily becomes a reality in official life—a process by which the principle on which the premium is placed tends to eliminate the other.

There is no difficulty in defining what is meant by the creative or imaginative nature in this discussion but it may be a matter of some surprise to find the opposed role given descriptions as various as governing or controlling or indeed, productive—the latter term in the modern sense of output not generally being regarded as one of the characteristics of public servants. Although it is perhaps difficult at first sight to see these as manifestations of the same basic value the common denominator is concern with machinery and methods. They all arise from a technical approach to the business of administration whether this expresses itself in forms as various as office organisation, as controlling procedures or as devices for increasing output. In none of these applications of the technical principle would involvement of the whole personality, with its wider range of human values, be considered a virtue.

The problem is born of the interaction between a modern technology preoccupied with production and processing, and an assertion of the equal importance of the values incorporated in what is produced, whether it be a building, an article of furniture or just day-to-day decisions on how the taxpayers' money should be spent. The potential of two such partners in marriage is clearly so powerful that we can only marvel that their state often appears to be one of divorce; or that, when they do remain in uneasy alliance, one should seek so to dominate the other.

The engineer or planner anxious to get on with a project—say, a new hospital, for which there may indeed be an urgent need—is going to have little sympathy with the interests (even when represented by such a constructive amalgam of the architectural and the administrative as those produced in recent times by the Nuffield Trust) who will wish to study, before work starts, the whole range of human requirements to be satisfied by the building for many years to come. The production manager of a furniture factory with a paying line of good solid stuff will have scant patience with the designer who presses the claims of a new style which would satisfy some aesthetic need of the modern consumer. Similarly, the Government Department which has a lot of work on hand—and one of the results of the new technocracy is that they all have—has little time for the man who is not manifestly in step with the march towards the production of adequate decisions and completed cases. He may indeed be thought obstructionist if he goes so far as to suggest that fewer decisions of better quality might not only be more worth while but would mean less "casework" in the next turn of the administrative spiral.

In the first two rather more concrete examples, consumer resistance may, of course, eventually come to the aid of the creative man. Public taste may in the end get tired of buildings which are not expressive of the life to be lived in them; furniture which does not contribute to the quality of daily experience may stop selling. But whether or not these resistances do eventually

ATTITUDES IN ADMINISTRATION

express themselves in economic terms the immediate point is that the environment, influenced by these products, has in the meantime been impoverished. In the less concrete administrative context, while the impoverishment of the life of the consumer is just as real there is no material way in which his dissatisfaction can be brought to bear. For one thing, the deficiencies of the product take a long time to show up—longer still to remedy. The resistance when it does come is often only in a somewhat amorphous form; a public opinion hostile to the Government Service as a whole; the consequent depression of the status accorded to it; grumbles about the numbers of so-called parasites; sporadic outbursts about the way the taxpayers' money is frittered away; the conviction which very often finds expression in action that the law is an ass. The resentment of the commercial consumer can, however, be more direct; it can hit the management where it hurts. In the public service only too seldom does the direct thrust of a Crichton Down reveal to us that it is in their quality and the values by which they are informed that our administrative actions are lacking. It is, however, to this shortfall in quality—and especially in the quality of imagination—that we might trace results as far-reaching as educational facilities not quite as well suited to our modern needs as they might have been; vastly less value for the money spent on Defence than we might have had; roads that are improved just that much too late for the national need; or just plain frittering away of the national resources in scores of less dramatic ways.

THE CREATIVE APPROACH

This is the point at which to consider what contribution the hypothetical creative man assumed by this discussion could make. What is being lost if, as is asserted, this type of man is at a discount in modern administrative practice?

The first quality we must concede to him, almost by definition, is that he cares, cares very strongly indeed, about what he is doing. The deliberate detachment of the technical school of thought is not only for him impossible but is seen as a cult destructive of really original thinking. He is involved personally and emotionally with his work in much the same way as a certain type of author is said to be "engaged" with his characters and situations. This analogy serves to make the point that this sense of personal involvement with the work of administration is an artistic rather than a moral quality. Our "engaged" administrator is not primarily a crusader for a brave new world as this essay may unwittingly present him as being. He is perhaps too often apprehended as such by even the more discerning practitioners of the doctrine of detachment, who, knowing their aims to be equally altruistic, are quietly confident that cool objective technique is a better instrument for achieving them than the ferments of what they take to be mere frustrated idealism—the fulminations in fact of the "angry young man." But the anger—and it must be confessed to as such—comes from looking back on the violence too often done to the facts of a situation or the integrity of an administrative concept in the name of practicality and realism.

"Politics is the art of the possible," is a maxim often advanced for the enlightenment of the idealistic young administrator and its very truth is its

snare. Wise in the last analysis, this maxim too-readily embraced as a starting-point becomes the stereotype of an attitude which will progressively shape material in such a way as to pass easily through the mesh of the administrative machine. Angles which are politically sharp are smoothed off; prejudices known to be well favoured at the higher levels are allowed to remain; a new idea is trimmed because certain of its features would never be accepted by "old so-and-so." In fact, the "possible" which it is the art of the administrator as well as of the politician to achieve, becomes a "possible" not pushed fearlessly as far in the direction of the ideal as the limitations imposed by any administrative system would allow, but a very low common denominator of safe and inoffensive precedent. Against this tide stands the man whose primary loyalties are not to the system but to the proper claims of the situations being handled by it. His ideas may not always be right but he is the champion of their right to exist even when inconvenient. There is an increasing and much to be deplored tendency for such championship to have to come from outside the administrative system if it is to come at all.

This respect for the shape of an idea regardless of whether that shape is a convenient one for passing through the procedural mesh, provides in alliance with a flair for the imaginative (a flair which can survive only against such a background) the second quality the creative administrator can bring to bear. This is the ability to spot connections and solutions which lie across the grain as it were, of the interior lines of a Department's organisation. Sometimes indeed the right approach to a problem lies athwart the boundaries between Government Departments or even between those Departments and other public bodies. Where lines of responsibility run vertically, ideas have a strong tendency to grow only in that direction. The horizontal tendrils to other connected interests which often indicate the extent and sometimes indeed the real nature of a problem, either are not spotted or are sheared off early in the administrative process in the interests of a spurious simplification.

Mr. E. M. Forster was clearly not thinking of administration but of life itself when speaking through one of his characters in "Howards End," he exhorts us: "only connect!" but his text might well be framed for our specific purpose. The ability to find the link is as uncommon in administration as it is in life. Even more rare is the ability to translate the unexpected and often awkward results of these connections into effective executive action; to ease their passage along a production line designed for much more streamlined models. Only the man who feels strongly about the integrity of an idea is likely to have the tenacity to keep on attempting this. And yet it is something that must be attempted in all departments and at all levels of administration.

It would be relatively easy to draw examples of the need for this from some well-defined field such as establishment or personnel work with its need for coherence between aspects as various as the standard of personnel recruited, the nature of the work to be done, organisation and grading, the way staff are accommodated, trained and their prospects and problems cared for. The unit about which thought should be centred—the individual employee—is here too obvious to need elaborating. This is not, of course, to say that

such polarisation of establishment thought and policy is always achieved; and in so far as the invasion of the field of personnel work itself by procedural and technical ways of thought complicates the problem of correcting an overall bias in that direction, one is tempted to dwell on missed opportunities in this sphere. The general point might however be better illustrated by examples from fields where the need seems less obvious. It is perhaps in problems concerning *matériel* rather than personnel that methods applying formula and technique would seem to be at their highest premium. The common denominator of this type of problem often is finance and this again is usually regarded as a field for the critical, controlling mind rather than for the creative connector.

The need to connect, however, comes through in the most unpromising situations. Take the simple and somewhat mundane example of the machinery by which one of the several Government Departments which deal in large quantities of stores, procures and handles this material. After a requirement has been formulated by some provisioning organisation the item in question (almost any would serve as an example) will probably be procured by the purchasing or contracting division. The principle governing the transaction, often to the detriment of speed and consequent loss elsewhere, is likely to be the acceptance of the lowest tender price compatible with what seems an adequate specification. On delivery the article is received by a quite separate organisation responsible for storing it, issuing it in due course and ensuring it is kept in good condition in the meantime. This particular batch may on receipt be seen to be deficient in some respect—not at all unlikely if the supplier has been chosen purely because he underbid the other tenders. While the remedy for this contingency clearly is to return the offending article to the supplier—through the contracting agency—with a complaint, this procedure takes time and the item may be required urgently. The storeholder takes steps himself to bring it up to standard and the more successful he is in developing a technique for doing so, the more likely it is that he will build up an organisation for dealing with all receipts in this way; so that it is only a short step to a situation in which articles in some minor respect below the standard the contractor has undertaken to meet, continue to be accepted. The storeholder's basic problem, however, is to keep the main stock of this commodity in good condition until it is required at some indefinite date in the future. In order to cut the labour costs which would be necessary to preserve the article if stored in the open or perhaps just to make absolutely certain that, when required, it will be in first-class condition, the storeholder asks for a warehouse to be built. This falls to be dealt with by a different organisation with quite a different sense of values. Though it probably accepts the requirement to build more warehouse space quite uncritically the question of how quickly the building materialises will depend on what other calls it has on its resources and what it conceives its priorities to be.

The extravagances and inconsistencies that can arise from thus operating in water-tight compartments are clear from a viewpoint spanning the whole process. While in some cases the need for the store-house (which is the form in which the end-problem here presents itself) is urgent to save heavier costs

elsewhere, in others there is no real need for it at all. It may, indeed, be that in this particular case the answer lies along the lines of a little less price-cutting in the original specification for the equipment in question, which could then stay in the open without undue deterioration for what may well, on checking with the requirements branch, prove to be for only a limited period. Now it is far from impossible for even such a simple solution as this—not to mention the associated anomaly of the store-holder's excursion into the business of repair—to escape the notice of the four parties to the transaction. Even if it did not, its translation into action would be so completely outside the defined spheres of each as to be not readily attempted by any. The controller is immersed in his calculations of requirements; the purchaser in the niceties of contract procedure; the store-holder is obsessed with the problem of putting and keeping what is bought in optimum condition, and the building branch will bend all its engineering talent to making a good job of the warehouse when the capital investment squeeze eases off.

It is, strangely enough, the reputedly restrictive financial element that has the best chance of acting as a catalyst in this sort of reaction. The question "are we getting real value for money here?" can when asked and followed through with imagination trace a whole web of connecting links and end by crystallising a more economical—which is more often than not also a more efficient—pattern of action.

As a digression it is worth dwelling for a moment on the potentially creative role of finance in public administration. In commerce and industry the connections that cut straight across lines of procedure to new ideas are driven by the spur of the market factor. One of the problems in public administration is how to find an effective substitute for this pressure, a substitute which will produce the climate of creative tension in which necessity mothers invention. Constructive criticism—creative as well as controlling—can be the answer. First, however, we must ensure that this force is brought to bear only in a free trade area in ideas and not in a market in which the barriers of protection are all the more dangerous for being unrecognised. In most spheres of public administration—certainly in all central Government Departments—we have to contend with a system of financial allocation and control which pours (or dribbles as the case may be) the money available into watertight containers or "Votes". The simple shape of a problem can be dangerously distorted by the pressures of what should be no more than the conventions of control. Restrictions on a particular Vote can, for instance, lead to twice the outlay in other directions where money is temporarily cheaper. The pinch of the shoe arising from an unduly restricted clothing allowance can lead to heavy bills at the chiropodist later.

Paradoxically then, it is the very rigidity of the framework in which he has to work which, provided he is aware of its limitations, places particular opportunities (and responsibilities) for imaginative connection in the way of the administrator when dealing with public finance. An acquaintance with the by-ways of procedure can (provided he is not obsessed with them) come to his aid in reconnoitring these woods which are so divertingly and dangerously overgrown with trees. The need for such pathfinders is greatest at the Treasury where the opportunities for blazing constructive trails between

the activities of the various public authorities present themselves in almost every aspect of the work of that Department. And even the well-worn paths have gaps to be bridged and detours to be cut out.

Men whose minds are free, fertile and intuitive enough to work along lines of natural association where these diverge from or cut across established procedures have the ability to promote—though too often, alas, by indirect means—more far-reaching administrative improvements than the procedural machinery set up directly to achieve those ends by such set techniques as Work Study, Organisation and Methods, Inspection of Establishments and so on. These methods—useful enough when seen purely as tools and handled as such—all suffer from the disadvantage of analysing the job or function as it stands. To start from that viewpoint means that any initial limitations in the original definition of what that function should be, particularly any policy misconceptions about its basic necessity, are likely to be perpetuated by a work study of how to carry it out more expeditiously or economically. Under such systems of analysis the solution in fact is sought only within the idiom in which the problem is posed. This attitude finds its expression in official language; we talk about “finding the answers,” implying in some way that the questions to which these answers are being sought have an indubitable validity.

This throws into relief another of the qualities that the creative “free-thinker” can bring to the administrative scene. This third contribution—though it is perhaps after all but a special manifestation of his ability to see true connections between events—is his concern not only about getting the right answers but about asking the right questions.

Technique pure and simple can often serve very well in getting answers to exact and specific questions. A military officer used to be taught, for instance, that in appreciating a situation, provided that the objective to be attained be properly defined and a certain mental questionnaire covering the basic factors methodically completed, his answers could not be wrong. This technique—which crops up again in the guise of “Training Within Industry”—unfortunately does not work nearly so well when the objective is of its nature less well defined than say “Capture Hill 60.” Worse still, it does not work at all when it is a matter of formulating the objective—that is to say, ensuring that we are asking the right questions, that these questions go far enough and that we are asking all the questions that we should.

It is obvious that the failure to ask a really fundamental question in time is going to lead to a crop of individual problems (for which technique will doubtless busily and happily find an equal number of adequate answers) later on. The proverbial stitch in time so often used merely as a slogan against procrastination makes an even sharper point as advice on the merits of perception. An establishment officer who asks himself whether the policy being pursued today is going to get and keep for his Service the quality of staff it will need tomorrow, is likely to save himself from the detailed breakdowns which would occur if things were left to drift to the point where all too obviously the policy had failed. The task of renewing the capital of an organisation that still has some credit—albeit diminishing—is easy compared to the revitalisation of one completely run down. But it does

depend on asking the right questions at the proper time and not always waiting till "the difficulties argue for themselves." This can be done only by enquiring minds sufficiently in mesh with events to know that the questions they are asking cover all the factors, and neglecting no means, however unconventional, of gaining the information to keep them so.

Very often we manage to get men of just that calibre in the chairs where critical questions will clearly fall to be asked. It is not sufficiently recognised however that there is hardly a desk of any importance where this questioning cast of mind is not invaluable. External circumstance does not always ask the questions for us: sometimes only we can know they fall to be asked at all.

A less obvious but none the less damaging variant of the non-enquiring mind is seen at all levels of administration in the shape of a too-ready acceptance of the form in which problems are presented or, as is more often the case, present themselves. Some of these problems disappear when put in their proper form, in others the objective gains in clarity and appears more attainable through illumination from a different angle. Most often of all, however, restating the proposition leads one back to quite other questions, by no means always less complex but invariably more real, which show how pathetically inadequate were the processes of uncritical acceptance which had led to the very brink of embarking on what doubtless would have proved a technically adequate answer—perhaps indeed even an ingenious answer (for it is no part of this thesis to claim a monopoly of ingenuity for the soul-searcher)—to the completely wrong question.

When, for instance, working conditions in a paint spray shop get so bad that the Factory Inspector threatens to close it down unless certain improvements are made, the question most likely to be asked is: "What is the quickest way to carry out these remedial measures?" The right question might, in some cases, prove to be: "Must all this painting continue to be done; and need what must be done be done here?" Or take the requirement of the Services for a hospital in an area where the garrison is perhaps so small as to present a totally uneconomic number for which to provide a complete range of modern medical specialities and equipment. Many agonising hours are likely to be spent in trying to find answers to what seems an eminently practical question: "How can we get the cost of this hospital in terms of £ per bed down to a figure at which the project compares less unfavourably financially with others?" Only when this proves incapable of an acceptable solution, and even then only under the influence of the financial pressure mentioned earlier, may the problem be restated thus: "A full range of hospital facilities cannot economically be provided for such a small number of patients; with whom can we combine to form an economic unit?" Acceptance of it in the latter form immediately opens up wider possibilities.

These are situations where the difficulty either disappears or its solution becomes more attainable once the proposition is formulated afresh. What about the case where this questioning of the form of the question leads not to a simpler answer but to one much more worth having because it introduces a new value? Still considering our hypothetical new hospital the following discussion arises: "What size and shape of ward unit should we build

bearing in mind current nursing practice?" A far more fundamental outcome would be likely if the proposition took the form: "Our present nursing organisation has evolved through functioning in hospital accommodation which is a relic of the era of Florence Nightingale. The environment we create now will to a corresponding extent influence nursing methods in the coming decades. What form do we wish these to take and what design of ward unit would be the best framework for them?"

There is another mark to be made by the questioning mind, in this case more in criticism than in creation (though it should perhaps be said that in the art of administration the two are—as may be doubted in other artistic spheres—alternative manifestations of the same purpose; they are arrayed together against conformity). Enslavement to procedure very often leads to demands for information being accepted uncritically. Prodigious labours of fact-finding are launched on the unquestioning basis that because something has been asked for it must therefore be produced. Like some other aspects of the machine-minding mentality deplored by this essay, this vice is the perversion of a virtue; in this case the virtue of getting on with the job, of the doggedness of the infantryman ploughing on to the objective (however ill-chosen) of an attack. Doubts do occur but have learnt to dissipate themselves in attitudes such as "while we're doing this, we're doing nothing else." This is indeed productivity of a sort but an early suggestion that the value of the information or examination required was not commensurate with the effort involved would be better administration, in the same way that the officer who asked for confirmation of orders which he knew must severely injure his command would be a better soldier for his question.

AN ORGANISATIONAL CHALLENGE

Most of the foregoing hypothetical situations illustrating the parts that can be played by the flexible-minded, enquiring, tenacious type of administrator (more compelling, though by the same token more unfortunate, examples from actual administrative history have regretfully had to be eschewed) have two things in common. They are as was foreshadowed earlier problems which arise in the seemingly unpromising administrative field of material (though as has been seen the solutions may have to be sought in a wider context); more significantly they are also situations which occur at the lower levels of the administrative pyramid.

The need for a far-ranging unfettered quality of mind in the higher flights of administration is too well recognised to need elaboration. Even at these levels, however, its operation is too often restricted by the fact that problems have become so sharpened by the time they reach the top that the natural growth of sideshoots with which they started has been pruned—and too often all discarded. The decisions remaining to be taken are often difficult enough in all conscience but the form in which they are posed can have become disastrously over-simplified in the process of progressive focussing of fact which is increasingly held to be the hall mark of the successful administrator. The part played by official language in contributing to this trend is considered later; sufficient to say here that the perils of over-simplification are at least as great as those of over-elaboration. One is more likely to be able to eliminate

the dross from an overcrowded tray than to recover a discarded nugget whose existence might not even be suspected.

The wider opportunities for spotting natural connections which the lower levels of administration present are not confined to linking facts in such a way that problems assume a different shape; or to unearthing new but relevant factors; or indeed to following up the side-clues to other discoveries with which the trail of even the most unpromising subject is, in its original untrampled form, not ungenerously strewn. There is in addition the chance—and the need—to discern the general idea that is often concealed in what presents itself as one specific problem or enquiry, an idea all too likely to be over-lain by the strictly factual treatment which such a case invites. Let us take the instance of the employee who at a time of fairly drastic redundancy in his Department, finds that his particular Establishment is due for closure (though this has not been officially announced) and from purely public-spirited motives writes in to say that “thousands of pounds” are currently being spent in maintaining the fabric of this shortly to be declared redundant installation; a waste which he conceives to arise from the usual faulty liaison but which is, in fact, in this particular case a by-product of the Department’s policy of secrecy springing from a desire to avoid staff upsets. In such a context the administration when it finds that the current expenditure on this particular installation is in fact negligible, will be pleased to confine itself to a routine reply to that effect. It may well in the process overlook the real significance of the letter which is that in the complete absence of measures to curtail such expenditure the amount might well have been thousands of pounds and probably is in the score or so of other establishments similarly redundant; and that the policy of security which precluded such measures does not seem to be successful, anyway.

There is then a requirement to synthesise policy from what may in the first instance be widely scattered cases in which the same basic idea recurs in a variety of guises. These cases may be spread over several departments and may, indeed, be dealt with quite faultlessly—by the lights of established procedure—at routine level. And yet each contains the ingredient of what should be a new policy—a policy which comes too little and too late when the trickle of cases has become a flood, the direction of which can no longer be ignored. If, however, the subject is one where public opinion is either not involved or not very articulate this situation may never arise and an opportunity is missed.

This fact that the natural pattern of administrative problems, priorities and opportunities emerges most readily at the lower levels of a hierarchy which simplifies matter as it elevates it, presents us with a formidable challenge. For as things stand, only at the higher levels is the development of connective policy-forming instincts together with the experience which allows these best to function recognised as a requirement; only at those levels does the right to employ them without pretension exist. And yet the higher one goes the more dependent on the refining process the basic material undergoes on the way up; a dependence which becomes dangerous where no active steps are taken to ensure that necessary elements are not eliminated. The only answer is to inject, foster and above all, cherish at every level the faculty of imaginative perception.

Before going on to examine what steps are necessary to vitalise such a coherent strand of creative thinking, running not only vertically through departments but horizontally between and within them, let us pause to consider why it needs attention at all. If this is so clearly one of the essential sinews of administration, why does it need constant nurture? Why does the pressure bear so hard on the leavening element in officialdom when, in some other spheres, workers of all grades can be given a sense of creative involvement in an enterprise?

As has already been suggested it needs only a tilt in the balance between creative and controlling forces in a system to start a trend which may easily become a landslide. The fact that in public administrative bodies it moves so invariably and inexorably in one direction may follow from the natural predisposition of any large organisation towards over-rigidity; a characteristic which presumably gives rise to that hard-worked addition to our vocabulary—"bureaucratic."

What sets up the original state of unbalance is another question—a major study in itself. In one department it could arise from wartime expansion, in another from some coincidence of events which places a generation attuned to classical conventions of thought all at once in most of the key, tone-setting positions. In even the least reactionary departments the tilting point must be brought nearer by the steady decline in esteem of the public service as a career, a change which is reflected in the type of recruit. Or the state of unbalance may be brought about not so much by the creative component losing ground as by its failing to gain the more advanced positions it needs to meet the challenge of the times. Between the wars, the main preoccupation of most Government Departments was with the *status quo* and the checks and controls necessary to maintain it. The rapid and continuing changes, both social and economic, which have taken place since, have thrust radically different and infinitely more positive roles in our public authorities, most of which now have a wide, and in some cases directly managerial, impact on daily life. While it is clear that this situation underlines the need for administrative methods at once more sensitive and more fertile, it by no means follows that this is the way organisations evolved in a different ethos, respond to it. An old dog does not produce a new trick merely through being given a bigger act.

THE ADMINISTRATIVE "OUTSIDER"

Once the tide has set against the creative elements in an organisation, the very vigour of their response is likely to be self-defeating. The more they struggle to assert their values the more they are seen to depart from the official concept of the norm. As in the case of an army directed on the wrong objective, the few who insist on going the other way stand out as stragglers, deserters and—if they are too vocal about their doubts—fifth columnists. When virtues are perceived as vices their repetition only advances their extinction.

This then becomes, essentially, the problem of the "Outsider" as stated by Mr. Colin Wilson in his penetrating social study of that name. Most professions presumably produce their outsiders but in few is it so difficult as in public administration for them to get in or—to define more exactly their

purpose—occasionally to turn its values outside in. We have already seen why in industry or commerce for instance the consumer factor ensures that orthodoxy can never come to be regarded as the ultimate virtue. There is always the incentive to try a new line. Effect, moreover, follows relatively quickly on cause—closely enough to be attributed to the concepts of a particular individual. Even if originally thought derisory, ideas vindicated by results become the new emblem of success before they have had time to go out of currency. Merit can be judged by results on the job rather than by attitudes towards it.

Not so in the public services. A simple criterion of success and failure is harder to establish; results take longer to achieve; climates of opinion longer to alter. So long and so far removed from its seed-bed may be the fruit of an original thought that—the plant, having germinated eventually only under the impact of a thunderstorm of opinion—its association with the sower is probably forgotten. He is likely to be recalled not so much by his views as by the inconvenient tenacity with which he held to them. A certain committee, if it had not been for his dissension, would have been able to record an agreed decision; the fact that it proved ultimately to be the wrong decision and would have been quite disastrous in application, does not register in anything like the same way. The necessity to accept the majority view in the interests of action—after having had one's say, of course—is one of the articles of faith of productive man. The adherence to the right answer which keeps the artist in opposition, if necessary alone, is thought to be mere egotism. Where this loyalty to the essence of a concept takes as it often can, priority over respect for departmental policy and practice, it seems not merely vain but culpable. Clearly the creative man has in his turn got at some stage to accept less than the ideal; administration is ultimately the art of the possible and as the road safety slogans assure us, to be in the right is not always the most practical course. But given such penalties most of us err in the direction of the expedient and it is only a short step from this to the elevation of conformity to the status of a principle.

His restless, enquiring, connecting slant of mind is another quality to put the creative administrator uncomfortably out of step. The compulsion to follow through the continuous line of a problem often takes him far across the designated divisions of responsibility before he is satisfied that the necessary connection has been made. While these activities have the effect of bridging the gaps which develop between even the most tightly-drawn organisational boundaries, they do sometimes leave him stranded in unfamiliar territory and earn him a reputation for trying to do everybody's job. The unpopularity these excursions after truth earn for him—not least among his superior officers—is, however, less likely to worry the administrative adventurer than is the amount of work he collects. He is, to revert to the military metaphor, likely to find gaps in the organisational front so great that by the time he makes effective contact with neighbouring formations he is seriously over-extended. (All Inspectors of Establishments are familiar with the phenomenon of the desk where the work-load varies according to the capacity of the occupant, but none so far has managed to make the technical device of the staffing yardstick flexible enough to allow for this element of

human inequality.) In such a situation the "engaged" administrator, able neither to handle all the lines he has cast nor yet, where they are worthwhile, let go till they are secured, begins to get overwhelmed. The point may be reached where the priority he feels he must give to research, reflects on his routine. In the world of the productive machine this is a failure; a failure which seems to serve to demonstrate the superiority of the technical approach. All it demonstrates in fact is the inflexibility of a system which precludes the development of its own most promising products.

It is only to be expected that such widely varying notions of what administration means will be reflected in differences in the use of language and the problem of communication is an only too common one for the reformer. The language in standard official use is not easily adapted to express thoughts whose very essence is to capture movement which takes place outside the formal framework. The words needed to conjure up and generate support for ideas of this nature are necessarily more emotive than those in, say, an analysis or a report. They are likely to be frowned on by a school whose tendency is to concentrate on the function of language as a vehicle for fact, formed ideas, or combinations of these, and to neglect its second but equally important role as an instrument of thought by which quite new concepts are kindled.

It is at least arguable whether the cult of plain words has not in its official application come to militate against such originality of expression. Plain words are so much more easily the purveyors of plain thought that it is not long before in the official mind, that is all they are expected to convey. In itself a great original concept, the movement for basic English is reduced—in the way the administrative machine strives to stereotype all such apprehensions—to a level where habitual ways of thought alone are given any currency. And while a writer of genius can turn even transcendent thoughts into the simplest of words, most of the people in the public service struggling with something new to say, are not prodigies—they have not usually even the time for an infinite capacity for taking pains. Their ideas moreover, have not, nor seek to have, the compelling quality of a revolutionary doctrine; they are not transmissions on a completely new wavelength but merely attempts to bring about minor adjustments in the old. Small wonder that they sound like distortion to the person for whom a particular selection of plain words has become the new officialese.

These then are the ways in which an organisation once set perhaps unconsciously in the groove of procedure tends—again unwittingly—to slow down the creative drive within it. These illustrate the process by which once the values of originality have been set at a discount, the currency of control tends to expel them. When in such a system advancement begins inevitably to depend on conforming, the creative element, to survive, goes underground. Thereafter, it seeks its effects indirectly, very often through a departmental agency bordering on its own; there its opinions not coming from within and below do not cause that sense of insecurity and unease which is the fate of the prophet in his own country. In such a situation the creative principle has, of course, little chance of renewing itself and it is here that the public service—by now having a reputation which tends to attract the type

of recruit who from the start has seen the dangers of thinking too much—begins to start living on the capital represented by the survival here and there of vocational attitudes to administration as an art. The internecine forms of bureaucracy are truly its most deadly!

That is the position where the vocational streak does survive. The measure of the extent to which we have already lost it is perhaps the number of people who make deliberate decisions to withhold part of themselves from the job and to seek outlets for their creative energies only in other activities. This attitude, traditional to machine-minding operatives and necessary to some extent for all workers, is an insidious one if embraced fundamentally by people, part of whose job it is to think—and to think constructively.

A philosophy which *starts* from a standpoint that, in a modern technical society, creative urges to be expressed at all have to find forms external to employment, can be a dangerous cut-off to the flow of vitality into professional life. In public administration we cannot afford to channel into extra-mural activities all our reserve of creative thinking.

Yet this is what Establishment policy—in the Civil Service at any rate—often contrives to do. Its attitude and too often its advice give the impression of an administrative career as one, in the nature of things, vocationally unsatisfying and that, as a matter of mental hygiene, creative urges are better subliminated in other spheres. In defence of such a philosophy it can be said that administrative changes come only in the fullness of time and then mainly as a result of pressures from without; meantime, the administrator should do his duty and cultivate his garden. This attitude, like many oversimplifications, rests on acute observation of the facts—in this case of the frustrations suffered by attempts at more positive administration. These, however, never justify detachment from responsibility for the structure of the system of which one is a part—a detachment which cannot but contribute to the inertia which it diagnoses.

Nobody who has seen the verve that an individual, who is little more than a passenger in his official capacity, sometimes brings to an external interest, can doubt the loss his employer is suffering by not absorbing a greater element of the whole man into what should be his vocation. Staff Association activities provide a wonderful example of this. It is by no means uncommon for administrators with "fire in the belly" to find the only outlet for its kindling effects through Staff Association channels where their capacity leaves such a forcible impress that it leads to prompt official recognition. There must surely be more direct means by which a public body can channel into itself the increased share of the imaginative vitality of its members which in most cases it so badly needs.

INTEGRATION

What are these measures? How does an administrative community change a climate of opinion in which attitudes of participation have withered into disuse? Much perhaps as a new commander would deal with our metaphorical army, advancing so steadily on the wrong objective. Firstly, to re-define the aim, then to outline the methods to achieve it, and lastly, to infuse the will to get there. In our administrative ranks the corresponding steps are firstly to demonstrate that a mastery of the technical aspects of

administration is not enough ; secondly, to show how more vital levels of thought can be brought to bear and to establish channels through which they can not only work but be seen to be working ; lastly, to recreate the interest, the sense of involvement, the dedication if you will, which distinguishes the craftsman from the machine minder. In our particular case, the second stage may have to come first in time ; ironically enough the first step towards the revival of a craft may be the introduction of a new piece of official machinery in the shape of an organisation with a specific mandate to prompt, seize, spread and cross-fertilise ideas.

It is here that the basic relationship between creativeness and control comes into the picture again. The positive impulses which we are striving to promote can operate effectively only in some sort of established framework ; a pattern which strikes a proper balance between the anarchy of unchecked colour on the one hand and a classical adherence to form on the other.

"Only connect the prose and the passion!" A further nerve to the administrative body conceived with the specific aim of transmitting impulses as vigorous as those of young ideas would clearly have to achieve this synthesis in its very constitution. The balance which controls creativity without sapping it *can* be struck ; and its achievement in such new cells could have a stabilising effect upon the whole structure.

Fresh channels, operating within the current administrative idiom but designed with the clear aim of picking up, assembling and propagating thoughts moving along the fringes of, or even across that idiom, would need to display certain definite organisational features. Such a system to collect the raw material by which policy is made or influenced, from the various working levels, must have a coherent stream running vertically through the hierarchy. The downward flow is equally important as some problems require for their solution the compounding of information which is normally to be found only at widely separate levels ; the facts of today assessed in the light of the policy of tomorrow. A ladder or escalator for this sort of through traffic seems long overdue. The need for equally well-defined horizontal links has already been mentioned and is no less vital.

What must be avoided, however, is anything in the nature of a specialist planning staff. This device particularly favoured by the Services and introduced in some Government Departments to meet the need for forward thinking unfettered by considerations of routine, has for our purpose, the defects of its qualities. In the process of freeing their ideas from conventional lines of responsibility such staffs often completely lose contact with those bread-and-butter problems which are not only the most effective spurs to new ideas but which do so prevent planning and policy getting too far from realities ; they can provide the most prompt and salutary checks on the value of such plans in action. The administrative stream to carry our ideas should be set to run beside the working channel, in contact with it at every part of its course, intermingling with it to deposit and pick up material, but always eager to carry the most valuable skimmings forward on a fast through current.

In every Government Department and in most of the branches within them, there already are co-ordinating sections or secretariats which have so far evolved purely as centres for collating information. Given this framework

only a few additional staff—if indeed any at all—would be needed for these sections to be reconstituted as live cells to promote more positive aspects of co-ordination. "Ideas and Liaison" might become one of the major office services like Training or Organisation and Methods which from a nerve centre in the Treasury would branch into Departments; the only difference being that while these other services are usually constituted only at Departmental level "Ideas and Liaison" could reach right down to the operational unit, where its representative would be one of the working team—probably the co-ordinating officer where he already exists.

This service would be two-way, both broadcasting and collecting ideas and information of general value. Specific aspects of the work of a branch which presented particular problems of co-ordination which were sticking in the normal working channel could be handled by this section through the ducts it would have developed to other "I. and L." cells. The ideas and suggestions of individuals could moreover be advanced with the help of this service. The need occasionally to jump a spark up and across the various administrative strata has already been mentioned.

At their respective levels these cells could come together to co-ordinate as required particular aspects of the business of their Department. At Departmental level similarly the Treasury could form—or be asked to form—*ad hoc* working parties of the "Ideas and Liaison" secretariats concerned to study a particular problem, or to carry out research in major aspects of government business. Informed by current, comprehensive views, presented by minds tuned to a general co-ordinating wavelength, these groupings would be much more precise and flexible instruments than the present somewhat ponderous forms of inter-Departmental machinery. A good example of the sort of work to be done is presented by the Defence Administration Committee which following this year's Statement on Defence is now at last exploring the extensive possibilities of greater co-ordination among the Armed Services and between them and the Ministry of Supply. With a channel in being through which ideas could flow, ahead if necessary of the clogged working-current, it is possible to argue that we should not always have to rely, as we do with our present machinery, on a programme coming on the anvil of economy for these vital links of efficient co-operation to be forged.

Whatever forms these channels of communication take there will remain the problem of generating the power to vitalise them. The source of energy exists at different levels and in varying quantities in every member of the administrative team. It has to be tapped. The springs by which enlivening thought pulses into an administrative body are too subtle and various for analysis here. They quicken to the same creative stimuli by which the equally elusive quality of morale—of which they form a part—is shaped.

Of these leavening influences one—staff training—merits special mention. This is one of the most direct ways by which attitudes can be formed and it is perhaps a measure of the problem under focus that hitherto, training in the Civil Service has shown itself concerned with the problem of instilling facts, methods and techniques almost to the exclusion of the equally urgent task of cultivating values and manners of thought. The introduction in some Government Departments, following the Crichton Down episode, of a

new series of training courses on "The Conduct of Public Business" was a recent example of an opportunity missed—all the more tragically because, although the target was apparently half recognised, the shot missed the mark. One does not want to make too much of Crichel Down but with it as a spur, surely these courses should have been more concerned with the values which administration should be seeking to uphold? To a dismayingly large extent, however, curricula were still crammed with technical material: how to manage staff, how to increase output, how to organise work more efficiently, etc., etc.; material all invaluable once it has been placed in its proper context—the context which it should be the primary concern of staff training to define—of the role and attitude of the administrator.

For when all has been said about ways and means, it will still be in what it conceives as its ends, that the vitality of administration as a vocation will lie. The immediate requirement is for a professional philosophy, as honest as it is satisfying; as consistently taught in theory as it is seen to be capable of expression in action. In the absence of such an ethos the administrator must tend more and more to become just another technician—although fated as such to be always second-rate as the idiom of his skill is essentially non-technical. For in the mosaic of a society, in which the constituent pieces tend to become ever more sharply outlined—and fashioned moreover to fit together ever more complexly—there appear to be few niches for parts not cast in one of these well-defined specialist moulds. The pressures of this situation work to shape the administrator as a lump (albeit a lop-sided one) with a place in this pattern. In his efforts to assume what society will recognise as a shape—in this sense a technical skill—the administrator misses his real role.

He is concerned with the whole picture rather than with the pieces. He cannot claim to be the artist of the grand design; the *laissez faire* school of administrative thought, while going too far in the direction of detachment, does rest solidly on the realistic recognition of social and economic forces as the ultimate architects. This notwithstanding, the administrator's imagination must still be caught by the emerging whole. Having perceived it he can make some small contribution to guiding the pieces into place. Above all, however, he is the wax in the mosaic, fixing and connecting pieces which the more sharply specialist they become, the less contact they have with each other.

A clear understanding that his real speciality lies in the deliberate cultivation of non-specialisation would do more towards fostering a sense of administrative vocation than any attempt to force a firm shape on an art which is essentially plastic. This ideal—a freedom from prejudice and a liberation of thought and perception which allows the administrator to walk with all men "yet keep his virtue"—is, though a very untechnical concept, a not unworthy one. Indeed, it may be the one required to restore to public administration that vocational value which more than any material incentives, will secure the recruits of the quality we so badly need.

GEORGE ALLEN & UNWIN, LTD.
have published this year two more books in
THE NEW WHITEHALL SERIES —

The Scottish Office

by SIR DAVID MILNE

(21s.)

and

*The Ministry of Pensions and
National Insurance*

by SIR GEOFFREY KING

(18s.)

—the fifth and sixth in a
new series sponsored by the
ROYAL INSTITUTE OF PUBLIC ADMINISTRATION

The Town Clerk—His Training and Career

BY T. HEADRICK

IN England and Wales there are 431 boroughs and in each there is a Town Clerk. There are 83 county boroughs, 319 non-county boroughs and 29 metropolitan boroughs, including the City of London. Each kind has its own place and powers within the local government scheme of things. County boroughs are as a rule the very large boroughs. But most important, they are all-purpose authorities responsible for the administration of all local government services within their boundaries. Non-county boroughs, on the other hand, are part of a two-tier system; they have a good number of powers to exercise, but some of the more important services, particularly education and town planning, are provided by the County Councils.¹ Similarly, Metropolitan Boroughs share the total local services of the Administrative County of London with the London County Council.

Moreover, there are a variety of distinctions, other than legal ones, between boroughs: a large number are middle-sized market towns; some are the centres and many others are the outlying portions of the large conurbations; some are seaside resorts or spas, others are cathedral cities, and a few are really small villages in the remote parts of Cornwall, Cardiganshire and Caernarvonshire. A major distinction is in terms of population. The following table illustrates the very wide variations.

Population Range	Non-County Boroughs	County Boroughs	Metropolitan Boroughs	Total
Under 5,000	50	—	—	50
5,000-10,000	36	—	—	36
10,000-15,000	28	—	—	28
15,000-20,000	25	—	—	25
20,000-30,000	35	1	1	37
30,000-45,000	59	—	1	60
45,000-60,000	40	7	5	52
60,000-75,000	20	11	3	34
75,000-100,000	10	15	4	29
100,000-150,000	11	23	6	40
150,000-250,000	5	13	6	24
250,000-400,000	—	7	1	8
400,000-600,000	—	3	—	3
Over 600,000	—	3	2*	5
Totals	319	83	29	431

*The ranges are those employed for the purposes of salary scales by the Joint Negotiating Committees. The City of London and the City of Westminster are, because of their special nature, included in the over 600,000 category.

Nearly one-third of the boroughs have populations under 20,000 and about 12 per cent. have populations under 5,000. At the other end of the scale,

a quarter have populations over 75,000, and about 18 per cent. have over 100,000 people living within their boundaries. Almost a majority of the boroughs lie between the 20,000 to 75,000 range, and, if the London boroughs are excluded, the median population is about 36,000.

There are thus 431 Town Clerks in England and Wales whose scope of duty and responsibility vary enormously according to the size of the borough, the extent of the council's powers, and the nature of the town itself.

Most Town Clerks are only Town Clerks, that is to say, within the framework of local government administration they spend their full-time at the job of Town Clerk. In the very smallest boroughs, however, there often is not enough business to keep a Town Clerk busy on a full-time basis. These boroughs, therefore, employ a part-time Town Clerk who combines his municipal work with some kinds of business outside. Normally he is a solicitor, living within the borough and carrying on a private practice there or in a larger nearby town. According to figures given in 1957, there are 44 part-time Town Clerks.² There can be no doubt that a certain amount of conflict of interest is likely to arise in this kind of situation which can lead to some unseemly results, but by and large it is a good solution for those boroughs with limited resources and a desire for talent in their Town Hall.³

A similar situation exists in the slightly larger, but still very small, boroughs, in which the offices of Town Clerk and Chief Financial Officer are held by one man. Although the Town Clerk is forbidden by the Local Government Act 1933 (S106(5)) from being Borough Treasurer, there is nothing which prohibits a council from appointing the Town Clerk as the Chief Financial Officer to manage the finances of the corporation, and from allowing someone else to hold a largely nominal post of Borough Treasurer. This someone else is oft times the local Bank or Bank Manager. This is the situation in fifty boroughs; none of which is over 18,000 in population, and 47 of which have less than 10,000 inhabitants.⁴ By combining the two posts these boroughs are able to secure one man of better than average qualifications and talent instead of two men with less ability and inferior qualifications. But part-time Town Clerks and Chief Financial Officer-Town Clerks are the exceptions: the general rule is a full-time man who spends the whole of his time on the job of Town Clerk.

In order to learn more about the training, careers and status of the Town Clerks in these varied Boroughs I circulated in January, 1958, a questionnaire to them with the help of the Society of Town Clerks. I express my warmest thanks to the Society and also to the large number of Town Clerks who answered.

Of the 431 Town Clerks, 377 or 87.2 per cent. returned completed or partially completed questionnaires.

Returns were received from 77 of the 83 county boroughs and 275 of the 319 non-county boroughs. It is evident from these figures that there is a slight bias against the borough under 10,000 in population; and similarly there is an equally slight bias against the non-county boroughs. It would not seem, however, that the variations are so great as to cause any significant distortion in the results.

THE TOWN CLERK—HIS TRAINING AND CAREER

These figures represent, on the other hand, only the total number of returns. A number of the questions posed were either not attempted by the Town Clerk or misunderstood and thus inadequately answered. The relevant part of the questionnaire with some notes on the quantity and quality of the answers to individual questions are given in an Annex to this article.

The returns broken into population categories appears as follows :

Group	Number in group	Number returns	Per cent. returns
Under 5,000	50	39	78.0
5,000-10,000	36	29	80.6
10,000-15,000	28	24	85.6
15,000-20,000	25	25	100.0
20,000-30,000	36	32	88.9
30,000-45,000	59	50	84.7
45,000-60,000	47	41	87.2
60,000-75,000	31	31	100.0
75,000-100,000	25	20	80.0
100,000-150,000	34	32	94.7
Over 150,000	31	29	93.5
Metropolitan Boroughs	29	25	86.2
	431	377	87.2

Education and Training

The great majority of, but certainly not all, Town Clerks are solicitors ; some are accountants, a few are barristers and a substantial number have no such profession, many of whom, however, possess a secretarial or similar qualification. The size of each of these groups in percentage form is as follows :

	per cent.
Solicitors	82.8
Barristers	1.6
Accountants	4.0
Others	11.6
	<hr/> 100.0 <hr/>

Since the solicitors form such a large segment of the Town Clerk population, it is well to consider in some detail the education and training of a solicitor, particularly the local government solicitor. In short, how does one become a solicitor? First of all, each aspiring solicitor must serve as an articulated clerk to a practising solicitor. The period of articles varies, but essentially it is five years with certain concessions being made to barristers, university graduates, bona fide solicitor's clerks of ten years' standing, and students who have achieved a predetermined standard in the G.C.E. examinations.⁵ But all must serve articles of some duration. Thus, the choice is open whether to serve them in local government with a Town Clerk,

Clerk of the Council or some other qualified solicitor or to serve them with a solicitor in private practice. Some Town Clerks feel that the more experience one can get in local government work, the better it is ; and therefore, these people strongly advocate serving articles to a local government officer. Others feel that it is well for the local government solicitor to have had some experience outside, and therefore, they advocate serving articles to a solicitor in private practice. Both sides have their following, for of the solicitor Town Clerks it is found that 57 per cent. served articles to a full-time local government officer (almost without exception, a Town Clerk), 34 per cent. served articles to a private solicitor, 5 per cent. to a part-time local government officer, and 4 per cent. had a divided articulated clerkship between local government and private practice. It does not seem to make much difference which path an aspiring Town Clerk chooses to follow.

But there is another choice which may face the aspiring Town Clerk which does seem to make some difference. This is the question of a university education. Approximately 35 per cent. of the Town Clerks have university degrees, and all but about 1 per cent. of these are solicitors. According to the answers, there are only three exceptions : two who have law degrees but have never become either a solicitor or a barrister ; the other is a barrister with a law degree and an M.A.(Econ.). Thus, 41 per cent. of the Town Clerks who are solicitors have university degrees. Moreover, there are several interesting observations which can be made in this connection. First, in the larger boroughs, where the position of Town Clerk is more important and better paid, the councils tend to prefer the man with a university degree. This point may be illustrated by the following table :

PROPORTION OF TOWN CLERKS

Population Group	With a University Degree	Who are Solicitors	Who are Solicitors with a Degree
	Per cent.	Per cent.	Per cent.
Under 5,000	13	36	36
5,000-10,000	14	38	27
10,000-15,000	25	71	29
15,000-20,000	36	92	39
20,000-30,000	34	94	37
30,000-45,000	30	94	30
45,000-60,000	34	93	37
60,000-75,000	48	100	48
75,000-100,000	45	100	45
100,000-150,000	47	100	47
Over 150,000	59	100	59
Metropolitan Boroughs	48	80	55

(This table is based on 377 replies.)

It may be noted also that in the three largest places, Birmingham, Liverpool, and Manchester, and in the City of London and the City of Westminster, which are perhaps the five most lucrative Town Clerkships in the country, each of the present holders has a degree.

THE TOWN CLERK—HIS TRAINING AND CAREER

Secondly, the overwhelming majority have taken a law degree of one kind or another, and some have taken two law degrees. This fact is indicated by the following percentages :

<i>Degrees</i>	<i>Proportion of total degrees per cent.</i>
LL.B.	48.0
LL.M.	14.0
M.A. (law)	6.0
M.A. and LL.B.	18.5
<hr/>	
Law degrees	86.5
M.A. (other)	8
B.A. (other)	4
B.Sc.	1.5
<hr/>	
Other degrees	13.5
<hr/>	
	100.0

(Note : Included with "M.A. and LL.B." are 2 B.A. and LL.B. and 2 M.A. and B.C.L. Some, but a minority, with M.A. and LL.B. read classics or history for the M.A.)

Thirdly, there does not seem to be any outstanding preference as to which university. London is at the top of the list probably because it is possible to take an external LL.B. degree there. Cambridge and Oxford follow in that order and the other universities divide the remainder with reasonable evenness.

<i>University</i>	<i>Per cent. of total degrees</i>
London	25.0
Cambridge	21.0
Oxford	14.0
Manchester	10.5
Sheffield	9.0
Birmingham	5.0
Liverpool	5.0
Leeds	4.5
Durham	3.0
Wales	3.0
<hr/>	
	100.0

It is interesting to compare these figures with a sample taken from the recent applicants for membership to the Local Government Legal Society. This society was founded in 1947, and its membership is open to any solicitor in the service of a local authority. According to its application circular its principal objects are "to promote the professional and legal knowledge of solicitors in local government and to confer on all matters concerning the status, duties and remuneration, responsibilities and interests of members."

It is thus an organisation of a large number of the Assistant Solicitors in local government generally, not only boroughs, and it is from this group that most of the Town Clerks of the future will come. From a sample of over a quarter of the Society's membership, one finds that over 63 per cent. have university degrees as compared with 41 per cent. for the present Town Clerks who are solicitors.

It seems safe to conclude, first, that in general the most successful Town Clerks, that is, most successful in terms of securing the higher paid positions, have been those who have taken a degree, and, second, that this tendency will be even more pronounced in the future. There are several reasons for this. Since the war the process of securing a university education has been less dependent upon one's family resources and more dependent upon one's ability. With the advent of state scholarships, county grants, and a more universal basis for grammar school education, it has become much easier for the talented, but poor, student to make his way to and through the university. In addition the Law Society has for the modern generation of solicitors made the choice between taking articles straight from school or going to university infinitely easier. The holder of a degree from a recognised university need serve only three years articles, in place of the normal five.⁶ Furthermore, the holder of a degree in law from one of these universities is exempted from the law portion of the Solicitors' Intermediate examination and need only take the Final and the Trusts and Book-keeping examination to be admitted.⁷ And finally those who do not go to university must spend during the period of his articles at least one year in attendance at a Law School, either the one conducted by the Law Society or one approved by the Society. Consequently, the person who goes to university and who intends to become a solicitor takes only one year more to reach the goal than the one who takes his articles immediately upon leaving school. Taking all into consideration one year does not seem to be a great deal of time to exchange for a degree and the many other benefits of a university education.

The university degree and articles, of course, are not all that is required of one before he is admitted as a solicitor. There are examinations—Preliminary, Intermediate, and Final. The Preliminary is of little consequence since most aspiring solicitors are exempted from it in one way or another. The Intermediate is of more consequence although it is chiefly to ascertain whether an articulated clerk is making the necessary progress toward becoming a solicitor.⁸ As was pointed out, those with degrees in law are exempted from all but one paper—Trust Accounts and Book-keeping—of this examination. Nonetheless, for many it is a hurdle to be surmounted on the way to becoming a solicitor. The Final examination is, however, the major obstacle. And it is worthwhile, therefore, to investigate what kind of obstacle it actually is, since presumably the major portion of a solicitor's training is spent upon preparation for this examination.

The Final examination consists of five compulsory papers and two optional papers.⁹ The compulsory papers are concerned with the major areas of law with which solicitors generally deal:

1. Real and Personal Property with special emphasis on Conveyancing.
2. (a) Contract.
- (b) Torts.

3. Wills and Intestate Succession ; and Equity, including Trusts.
4. Taxation—Income, Death Duties and Stamp Duties.
5. Company Law and Partnership.

The optional papers offer a varied selection, but there are two which the local government solicitor normally selects :

1. Local Government Law and Practice.
2. Planning Law (although this is concerned with matters affecting the general public, as distinct from those affecting public authority).

This appears to be an excellent background for the local government lawyer, and even for the local administrator, if one concedes that some kind of legal training is proper for the administrator. But the subjects of the examination are only one side of this problem. On the other side is the question of what kind of examination it is and of what kind of preparation is necessary to be successful in it. In this connection I was impressed by the remarks of a recently admitted local government solicitor who had experience of both the Solicitors' Final and one of the Oxford Honour Schools. As he explained it, each paper in the Solicitors' Final contains twelve questions, ten of which must be done—three compulsory and seven optional—all in three hours. There is, therefore, little choice, no time for long thinking, and a demand for short and direct answers. The stress, he felt was upon the ability to memorise a vast amount of "bitty information" and to put it on paper as the occasion demands. Consequently, little scope is given for one's intelligence. This means, in his opinion, that the intelligent man has a far smaller advantage in the Solicitors' Final than in an Oxford Honour School's that the indifferent-minded persevering man might get honours in the Final, but would never get a First in Schools, that the indolent genius might get a First in Schools, but would probably fail the Final completely. The distinction is perhaps somewhat overstated, but it is nevertheless a valid distinction. It is difficult to avoid the conclusion that learning law as a collection of factual information, statutes which exist and points of law which have been decided, is not productive of a creative imagination, the kind of imagination which, it is often said, is required of a successful administrator. Nonetheless this is the kind of professional training which the vast majority of Town Clerks have experienced.

But what of the remainder of Town Clerks? What are their professions and standing? First of all, there are a very few barristers, slightly less than 2 per cent. Generally, they tend to be Town Clerks in the smaller boroughs ; the largest borough with a barrister Town Clerk has a population of about 59,000. The reasons why there are so few and why they are normally found in the very small places may be traced in the Consolidated Regulations of the Inns of Court. Most basic is the fact that a young person who wants to be a local government lawyer and eventually a Town Clerk cannot choose to take a barrister's training, be called to the Bar and then seek a position in local government. So long as he wishes to remain a barrister, he may not work for or under any solicitor.¹⁰ Consequently, he is denied the opportunity to rise in the normal way through the various legal posts in the Town Clerk's Department to the position of Town Clerk. If, therefore, a person wants to be a barrister and a Town Clerk, he must first work his way up the ladder to

Town Clerk in a small place where a legal qualification is not demanded, next, take the Bar Final and be called to the Bar and then move from one place to a larger one as a Town Clerk.

Moreover there are certain restrictions upon the barrister as a Town Clerk which tend to limit his overall usefulness to the employing corporation. Much of the legal work which a local authority, especially a smaller one, expects its Town Clerk to do is the type of work which is regarded as being the ordinary or exclusive function of a solicitor, particularly that involving conveyancing and the transfer of real property. This is peculiarly solicitor's work, and, apart from the drafting of documents, a barrister is not permitted to engage in it. Furthermore, a solicitor Town Clerk may take out a practising certificate and appear on behalf of his employing authority at all Courts and Tribunals at which solicitors have a right of audience. A barrister, on the other hand, once he becomes a Town Clerk, is no longer regarded as practising and may not appear at any Court or Tribunal as counsel. Consequently, apart from being able to employ the legal knowledge he possesses, the barrister cannot play a very useful part in the conduct of his corporation's legal business. It follows, therefore, that the number of barrister Town Clerks will never be very large.

There are a few more accountant Town Clerks than barrister Town Clerks but only a few more—the total number is about four per cent. of all Town Clerks. One metropolitan borough with a population of about 50,000 has an accountant Town Clerk but the largest borough outside of London with an accountant as Town Clerk has a population of about 11,000. In almost every case the accountant performs the dual capacity of Town Clerk and Chief Financial Officer so that although as Town Clerk he must fulfil certain statutory obligations and tend to the usual committee business, such as it is, his major concern is to ensure the sound financial position and structure of his corporation. For the very small borough this approach is without doubt sound, for it increases its chance of getting a trained person to manage its finances. In the main this training involves becoming an Associate Member of the Institute of Municipal Treasurers and Accountants although a few have Certified Accountant or similar qualifications.

The remaining segment, almost 12 per cent. of the total, is comprised of Town Clerks who have been trained in a wide variety of ways, and who have acquired a similar variety of qualifications. As a few examples there are some who are Fellows of the Corporation of Secretaries (F.C.C.S.); others who are Fellows of the Chartered Institute of Secretaries (F.C.I.S.); a few who are Fellows of the Rating and Valuation Association (F.R.V.A.); a number who are Associates of these various bodies; and a larger segment who hold no qualification but long experience in their work. Again this group is concentrated in the small authorities. The largest borough outside of London with a Town Clerk of this background has a population of about 47,000; but even this is an exception, for nearly three-fourths of this group are employed in boroughs under 10,000 population. In London, there are at least five in the metropolitan boroughs, the populations of which reach 90,000. On the whole, however, this kind of Town Clerk is found in the small borough which is limited in its resources, powers, and activity.

To summarise briefly, therefore, all Town Clerks of boroughs (other than metropolitan boroughs) above 60,000 population are solicitors; and in fact, in all but those boroughs under 10,000, solicitors hold the majority of Town Clerkships. Over 40 per cent. of these solicitors have university degrees, the greater concentration of degree-holders being in the larger authorities. The overwhelming majority of degrees have been taken in law, a study of law which in this sense, that is, the academic sense, is reasonably broad and theoretical. This training then has been followed by the restricted approach demanded by the Solicitors' Final examination. The remaining 60 per cent. of solicitor Town Clerks have been trained solely with the restricted approach. Aside from solicitors, there are barristers, accountants and others with a variety of qualifications who serve as Town Clerks mostly in the very smallest authorities. But their number is small, their influence among Town Clerks as a group, even smaller. In general, the best start on the road to a Town Clerkship is a good university degree followed by a successful Solicitors' Final. What happens after this start depends upon the system of promotion, to which attention is now turned.

The System of Promotion

Except in a very small minority of cases, the road to a Town Clerkship has been through the various positions in a Town Clerk's Department. Moreover, within that Department there are four usual roads to a Town Clerkship, one or another of which nearly all the present Town Clerks have travelled. First of all, there are the ones who straight from school or university serve their articles to a private solicitor and subsequently take positions as Assistant Solicitors, then Deputy Town Clerks, and finally Town Clerks. Secondly, there are the ones who straightaway serve their articles in local government, normally to a Town Clerk and then, having been admitted, become Assistant Solicitors. This is the most numerous segment. Thirdly, there are those who enter the local government service as a junior Clerk, subsequently become articled to a Town Clerk, and then, being admitted, take a position as Assistant Solicitor. There is, in many cases, little to distinguish one in this category from one in the second group. Some Town Clerks have begun as a junior Clerk, worked for a year or two in that position and then taken up their articles. Others have worked on the administrative side of the Department for as much as 12 years before they began serving their articles. Consequently some may have intended right from the time of their entrance to become local government lawyers and eventually Town Clerks, whereas others may have turned to law when they seemed to have exhausted their opportunities for advancement early in life. In the fourth group are those who entered as junior Clerks and worked their way up the administrative side, through appointments of Committee Clerk, Senior Committee Clerk, and Chief Clerk, and have eventually been appointed Town Clerk without having become qualified solicitors. Also in this group are those who are accountants and who may have begun in the Treasurer's rather than the Town Clerk's Department. The major exceptions to these practices are the part-time Clerks who have been appointed to their positions without any previous local government experience; but even among part-time Town Clerks, their number is not great.

Quite expectedly, therefore, the lawyer entrant is more common in the larger authority, essentially because it is only when an authority reaches about 50,000 in population that the need for a third lawyer, hence an Assistant Solicitor, on the staff arises. Moreover, university graduates, except those who take an external degree somewhat later in their career, invariably take their articles immediately after graduating and therefore enter local government as solicitors, again in the larger boroughs. In the smaller places where the unqualified clerk is most prevalent, the junior Clerk entrant is, as a result, not unusual. But much more often than not the path to a Town Clerkship leads through the legal side of a Town Clerk's Department.

This is illustrated by the following table which shows the proportion of Town Clerks who obtained their first full-time appointment in local government as either a junior Clerk or as an Assistant Solicitor.

	As Assistant Solicitor	As Junior Clerk
	per cent.	per cent.
Under 5,000	4	96
5,000-10,000	22	78
10,000-15,000	50	50
15,000-20,000	64	36
20,000-30,000	48	52
30,000-45,000	68	32
45,000-60,000	75	25
60,000-75,000	83	17
75,000-100,000	74	26
100,000-150,000	81	19
Over 150,000	88	12
Metropolitan Boroughs	73	27
	62	38

The percentages are based upon a total sample of 283 since 94 of the returned questionnaires were not sufficiently completed to make this assessment. For further comments see the Annex.

The keystone of the system of promotion is, however, inter-authority mobility, the movement from a position in one authority to a better one in another authority. This mobility is not something which is peculiar to the Town Clerks; rather it is a feature of the entire local government service, and movement is particularly commonplace among the professional officers. Ease of movement from place to place has been improved by the Local Government Superannuation Act, 1937, which established compulsory superannuation throughout the service and provided for the transfer of accrued benefits from one authority to another when an officer moves. On the other hand certain post-war factors have reduced this ease.

As far as many Town Clerks are concerned, movement is a reasonably common occurrence. There are some who have served in only one authority, but their number is small. The overwhelming majority have moved at least once and usually more than once. On the average the present Town Clerk has served with between three and four local authorities, which means that

the average Town Clerk moves two to three times.¹¹ For example, the Town Clerk of a small borough in the South with 24 years in local government held the positions of Assistant Solicitor and then Deputy Town Clerk in the middle-sized Lancashire borough where he was also articled to the Town Clerk. He then moved to a larger non-county borough on the South coast to become Deputy Town Clerk there and five years later acquired his present position, Town Clerk of a borough of about 23,000 population, the smallest in which he has worked. As another example there is the Town Clerk of a county borough near Manchester. He began his career 26 years ago as an Assistant Solicitor in a Midlands county borough. Four years later he moved to a similar position in a larger corporation in the Midlands, and three years after that became Assistant Town Clerk in a county borough near London. He was promoted to Deputy Town Clerk in the same borough seven years later. He held this post for two years and then moved northward to take his present position. These are two very typical examples of the kind of movement made by the aspiring Town Clerk on his way up the ladder.

There are several very general observations which can be made concerning this inter-authority movement. The most striking is that the amount of movement from non-county boroughs to county boroughs, particularly at the Deputy Town Clerk and Town Clerk levels, is not very large. County boroughs usually fill vacancies with those who have had county borough experience. Consequently unless one, early in his career, secures experience with a county borough, his chances of eventually becoming Town Clerk of one of the large authorities are substantially reduced. Furthermore, of the present Town Clerks only a very few have had experience with Urban or Rural Districts Councils, and those who have are chiefly the Town Clerks in the smaller authorities. And even fewer have ever worked for a County Council. The vast majority of Town Clerks have worked only for borough councils, and as often as not for only one kind of borough.

There are several factors in the present system of salary scales which now operate against a great deal of movement. According to the latest scales recommended by the Joint Negotiating Committee for Town Clerks and District Council Clerks in May 1956, the salary spread is from £805 minimum in the authority under 5,000 population to a £3,915 maximum in an authority of 400,000 to 600,000 population, and at the council's discretion in authorities over 600,000. This is a substantial differential. But it is well to remember that almost a majority of authorities lie between 20,000 and 75,000 and in these ranges the differentials are considerably smaller, the average salaries in these ranges running from £1,625 to £2,340. Couple this with a tendency toward limited movement from non-county to county boroughs and the high rates of income tax, and it is seen that essentially the salary differentials are not great once one becomes a Town Clerk or even a Deputy Town Clerk. It is often easier for a Deputy to wait until the Town Clerk retires in anticipation of moving into his position than to undertake the trouble and expense of moving and finding a new home for at most a few hundred pounds. The problem for Town Clerks is the same and perhaps more acute. As an example, take the Town Clerk of a borough of 25,000 with a salary of £1,750 and his annual increments exhausted. A position in a borough of 65,000 is

advertised. Should he apply? His starting salary will be about £2,200 which in three years will become £2,415. Thus the move would be worth £665 gross, but after taxes, not much more than, say, £350. He must bear the expense of moving, selling his present home and buying another one, and the difficulties of adjusting to a new environment, both living and administrative. For the young Town Clerk under 40 years of age, such a move may be worthwhile; for the older one, it is scarcely so. Consequently when one becomes a Town Clerk, the chances are reasonably good that he will remain with that authority until retirement. Most of the mobility is at the Assistant Solicitor level and to a lesser extent at the Deputy Town Clerk level.

In terms of the number of years it takes for the young entrant to attain his first Town Clerkship, the average is about 12 years, excluding solicitors' articles and war service. In general, it takes the junior Clerk entrant somewhat longer than the person who enters as an Assistant Solicitor. This figure, however, is based upon the present generation of Town Clerks, many of whom lost six to eight years during the war. As a result, although measured by actual years of service in local government their movement up the ladder may have been quicker than normal, their movement to the top in terms of age has been somewhat slower. In normal times, therefore, one would expect the average Town Clerk to serve about 15 years in local government before being appointed a Town Clerk, the average age on appointment thus being about 38.

It is quite unusual for a Town Clerk to have worked outside of local government at all. Except for those who served their articles to a private solicitor and remained in private practice for a few years before entering local government, the number who have spent any time working outside the local government service is infinitesimal. As it was emphasised above, unless one enters the legal side of local government early in his working life, the opportunities for becoming a Town Clerk are extremely limited.

Method of Appointment

When a vacancy for a Town Clerk occurs or is about to occur, and there are about 30 vacancies each year, the Council advertises for applicants. It generally advertises in the more popular local government journals, *Justice of the Peace and Local Government Review*, *Municipal Journal*, *Local Government Chronicle*, and occasionally in *The Times* and the *Law Weekly*. The applications are considered by a committee and a short list of candidates to be interviewed is drawn up. The initial screening committee may be variously composed: it may be a standing committee, usually either the Finance or Establishment Committee, or a special sub-committee, or a committee of ex-mayors, or in the small places, the entire council in committee. It would be safe to say that in every case its composition would include the senior and most respected members of the council. The initial screening committee generally interviews the first short list of about 12, from which six are selected for a second interview. This second interview is usually conducted by a somewhat larger committee which generally recommends to the Council one candidate and perhaps one or two alternates. The choice, generally speaking, lies with the second interviewing committee. However, some authorities

do require a final short list of three to five to come before open Council and address the group for five to ten minutes. In these instances the final decision rests with the whole Council. In any case the successful candidate is usually expected to be present at the council meeting at which his appointment is approved and to address the council briefly at that time. The Council resolution is normally the final stage in the process of appointment. The appointment of the Town Clerk of Richmond, Yorkshire, however, in accordance with the borough's charter of 1668 granted by Charles II, must be approved by the Sovereign. After the council makes its choice, application for approval is made to Her Majesty through the Home Secretary by the Mayor, and in due course the approval is granted.

It is not unusual during the process of drawing up the short lists and considering the various applicants for a council to send representatives into the towns of these applicants in order to ascertain the general public feeling towards them. Enquiries are sometimes directed to the local party organisations as well. One Town Clerk was confronted by both party leaders for advice when they received letters from their counterparts in the borough to which the Town Clerk was applying, asking for information on the applicant. There can be no doubt that Councils take the job of finding a new Town Clerk very seriously.

Salaries and Conditions of Service

In 1948, to meet what was described as a "chaotic and difficult" position in regard to the salaries and the conditions of service of the chief officers in local government, two Whitley Councils were established: one, the Joint Negotiating Committee for Town Clerks and District Council Clerks, the other, the Joint Negotiating Committee for Chief Officers of Local Authorities.¹² The establishment of a separate committee for the Clerks was in a sense a recognition of the Clerk's senior status among the chief officers and was the final result of what was no doubt a heated dispute behind the scenes among the various officer organisations and local authority associations, a dispute resolved in the end, it would seem, by the strong pressures applied by the Society of Town Clerks upon the sources of influence in the Association of Municipal Corporations.

The Joint Negotiating Committee for Town Clerks and District Council Clerks is composed of the following representatives:

Employers

Association of Municipal Corporations	..	..	..	3
Urban District Councils' Association	..	..	..	3
Rural District Councils' Association	..	..	..	3
Metropolitan Boroughs' Standing Joint Committee	..	..	..	1

Employees

Society of Town Clerks	..	..	..	3
Society of Clerks of Urban District Councils	..	..	..	3
Local Government Clerks' Association	..	..	..	3

In addition the County Councils Association sends two non-voting representatives for liaison purposes.

Once established, it took about a year for the Joint Negotiating Committee to produce the initial set of recommendations. These were issued on the

8th September, 1949, and consisted of a preamble and two schedules, one for salary scales, the other for conditions of service. The salary scales were and still are based upon the principle of ranges with a different range applied to each population group. The ranges have in fact been kept quite wide so that the appointing authority has considerable latitude as to the initial salary it gives its Town Clerk. In the smaller authorities the range has gradually increased from £150 to its present £185. In the largest authorities covered by the scales the range initially was £250; it is now £265. The use of ranges for minimum salaries is justified on several counts. First of all, the scales apply to Clerks of all kinds of authorities except County Councils. The responsibilities of the Clerks, however, differ considerably from one class to another even when the populations are similar. Consequently some flexibility is needed, or the reliance upon population as a means of gradation is unfair. Moreover, there are numerous special or local conditions which make the job of one Town Clerk differ greatly from that of another, especially such things as the higher cost of living in the London area, the additional council-operated enterprises in seaside towns, the Clerk who doubles as Chief Financial Officer or who holds several appointments additional to those held by a Clerk, and the professionally trained officer in the very small authority. All of these conditions merit some special consideration salary-wise and instead of permitting a number of exceptions to be made from a rigid scale, the Committee thought it best to install a certain amount of flexibility in the original system. The Joint Negotiating Committee for Chief Officers of Local Authorities adopted the same principle in its recommendations, first used the 12th September, 1950.

Since the first recommendations the salary scales have been revised upwards twice, once in November, 1954, and again in May, 1956. At present the recommended maximum salary for authorities up to 600,000 population is £3,915, the minimum for an authority under 5,000 is £805. In addition it is well to note the general gradations of salaries according to population, by the following table:

<i>Population</i>	<i>Average Salary*</i>
12,500	£1,225
25,000	£1,625
50,000	£2,065
85,000	£2,602
125,000	£2,868
200,000	£3,128
500,000	£3,652

*These figures are based upon the mean between the lowest starting salary recommended and the highest salary (after increments) recommended.

The salary, however, is not the only remuneration to which a Town Clerk is entitled. According to the negotiated Conditions of Service, he is entitled to certain fees: those which he receives for his duties as acting or deputy returning officer and as registration officer or deputy registration officer; those premiums which he receives from articulated clerks if he is a solicitor;

and his salary for carrying out the duties of Clerk of the Peace, if he holds that office. These fees may amount to quite considerable sums. The Town Clerk of Manchester, for instance, received a salary of £4,100 plus from £1,000-£1,200 in fees. The premiums paid by articulated clerks may be as high as £300 per clerk and each solicitor is permitted to have two articulated clerks though few have. As to the salaries of Clerks of the Peace, in Andover the Town Clerk received an extra £50 for this job; in Northampton he received £150, in Newcastle £315. In all but a very few instances, therefore, the Town Clerk's basic salary is supplemented by fees, premiums, or secondary salaries, which may prove to be quite substantial sums.

The other Conditions of Service negotiated by the Joint Negotiating Committee for Town Clerks and District Council Clerks very generally outline the Town Clerk's duties and responsibilities and set out the requirements for annual leave and sick pay. By way of brief summary the Town Clerk's duties are to perform the council's legal work, to convene all council and committee meetings, to advise the mayor, to assist members in the drafting of resolutions, to advise on standing orders and local government legislation, to conduct the council's official, but not technical, correspondence with outside bodies, to supervise ceremonial arrangements, to conduct all important inquiries, and to oversee all public notices and advertisements. Beyond this it is agreed that no political group shall seek his advice and that no major negotiations shall be carried on by any other officer without his knowledge. In addition he is entitled to a minimum of four weeks annual leave and very liberal allowances in event of sickness. And most important, he is described as "the chief executive and administrative officer of the council" and is responsible for "co-ordinating the whole of the work of the council."

But these salary scales and conditions of service are only recommendations; they do not have the force of law. Nonetheless there are ways of enforcing them. If an authority advertises a vacancy for a Town Clerk and does not offer the recommended salary or conditions of service, the authority is black-listed, the Society of Town Clerks appealing to its members not to apply for the open position. Moreover the Law Society discourages its members, the solicitors, from applying.¹³ Consequently the two most fruitful sources of Town Clerks are cut off, and the area of choice open to the black-listed authority is severely restricted. For those authorities who refuse to implement the negotiated recommendations for their present Town Clerks the sanctions are somewhat different. The Town Clerk places a complaint before the Society of Town Clerks. The Society, now a registered Trade Union, then reports to the Minister of Labour that a labour dispute has arisen. Following this the Minister sends a mediator, who investigates the situation and attempts to bring about a settlement. If he is unsuccessful, the Minister thereupon declares that a dispute has arisen, and the matter goes before the Industrial Disputes Tribunal. The Industrial Disputes Tribunal hears the arguments of the Society of Town Clerks and the involved corporation and then hands down the decision. Up to the present, three Town Clerks have had disputes brought before the Tribunal and in each instance the Tribunal has enforced the recommendations of the Joint Negotiating Committee.¹⁴ Even though

the negotiated terms are only recommendations, the means for enforcing them are readily available.¹⁵ And the vast majority of authorities have accepted the recommendations without necessitating the use of either of these methods.¹⁶

ANNEX

CAREER

1. Number of years in local government service.....
2. Positions held within local government service or outside, relevant (civil service, industry, private practice, for example).
.....

EDUCATION

3. Are you a Solicitor?..... Barrister?
Other Profession?..... (Please list)
4. If a Solicitor, were you articled to a Private Solicitor or a Town Clerk?
.....
5. Do you have a degree (or any degrees)?
Degree.....
University.....
Honour School.....
6. Do you have a Diploma in Public Administration?.....

Question No. 1. This question was answered very simply and correctly by all but a very few. This very small minority chose to supply the number of years they had held a Town Clerkship; but, at least so far as is discernible, when this was done, it was indicated. On the whole the question produced the answer which was sought.

Question No. 2. The answers to this question tended to be somewhat disappointing, and the fault lay mainly with the question, not with those who answered it. The question was intended to elicit the details of the Town Clerk's career; the titles of the positions he had held, the places where he had held these positions, and those positions which he had held outside the local government service. In addition it was hoped that the Town Clerk would include the length of time he had held these various appointments. Of the returns, 108 gave complete information (that is, positions, places and dates); 63 more listed positions and places; consequently 171 returns or about 39 per cent. of all the Town Clerks responded in the way that was desired. The figures given in the text, therefore, concerning inter-authority movement are based upon the experience of about two-fifths of the Town Clerks; and the figures given on the length of time it takes an aspiring Town Clerk to move up the ladder to his goal are based upon the records of only one-fourth of the Town Clerks. There were, however, 112 additional returns which indicated the positions held within local

government so that it was possible to determine at which place in the ladder about two-thirds of the present Town Clerks entered. Of the remaining returns, on 49 the Town Clerk listed his present appointments; on 33 the question was not answered; on 10 only positions previously held outside the local government service were included (normally a few years in private practice); and on two the answers could not be classified.

It is evident that of those who replied to the questionnaire about 25 per cent. misread the question (or were not inclined to give the information requested) and about 55 per cent. interpreted the word "Positions" very literally, and thus gave very sketchy answers. A better drawn question which indicated more explicitly what was wanted, which separated the two parts to the question (that is, "within local government service or outside") into two queries, and which made it clear that past positions, not present ones, should be listed, would have secured much better results.

Question No. 3. This question was answered properly on all the questionnaires that were returned.

Question No. 4. This question was answered properly on all the questionnaires that were returned.

Question No. 5. This question was answered on all the questionnaires that were returned. Part (c) received a number of irrelevant answers since "Honour School" is a term peculiar to Oxford University. In the overall analysis, however, this part was largely superfluous since the answerer indicated in some other way what subject he had taken his degree in.

Question No. 6. This question was answered properly on all the questionnaires that were returned. In addition many returns indicated other qualifications which the Town Clerk had acquired, the most common, but certainly not a frequent one, being Legal Associate Member of the Town Planning Institute.

¹In some instances, however, they do acquire additional powers through delegation from the county. See generally, Richards, P. G., *Delegation in Local Government* (London, 1956).

²Argument of the Society of Town Clerks in *Re Town Clerk of Newcastle-upon-Tyne Corporation*, Industrial Disputes Tribunal, Award No. 963 (1957).

³For a contrary view, see Robson, W. A., *The Development of Local Government* (London, 1948, 2nd ed.), pp. 333-34.

⁴Figures according to *Municipal Yearbook*, 1958.

⁵Law Society Regulations, reg. 5, and Schedule I.

⁶Law Society Regulations, Schedule 2. The recognised universities are Aberdeen, Birmingham, Bristol, Cambridge, Durham, Edinburgh, Exeter, Glasgow, Hull, Leeds, Liverpool, London, Nottingham, Oxford, Reading, St. Andrew's, Sheffield, Southampton, Wales, Victoria University of Manchester and the Queen's University of Belfast.

⁷Law Society Regulations, reg. 54.

⁸Regulation 33.

⁹Regulation 58.

¹⁰The barrister's Declaration, made before he is called to the Bar, reads in part 3:

"That if called to the Bar and so long as I remain a Barrister I will not in this country or elsewhere . . . be or act directly or indirectly in the capacity of a Solicitor . . . , nor be nor act as a Clerk to or in the service of any person acting in any of the capacities last above enumerated, nor in any capacity similar thereto. . . ."

Consolidated Regulations of the Inns of Court (1957), reg. 41.

¹¹This average is based upon a total sample of 171. For further comments see the Annex.

¹²For a description of the evolution of Whitleyism in the local government service, see generally, Warren, J. H., *The Local Government Service* (London, 1951).

¹³(Anonymous), "Law Society Supports Society of Town Clerks, etc." 60 *Mun. Journ.* 61 (1952).

¹⁴Industrial Disputes Tribunal, Awards Nos. 665, 778, 963.

¹⁵But these means have not always been available. In *R. v. National Arbitration Tribunal ex parte South Shields Corp.* (1951) 2 A.E.R. 828 it was held that a Town Clerk could not have a "dispute" between himself and his authority referred to the Tribunal because by interpretation of the Ministerial Order establishing the Tribunal a "dispute" must involve more than one workman and his employer. Subsequently, the Society of Town Clerks registered as a Trade Union and thereafter the "disputes" referred to the Tribunal were between the Society and the employing Corporation. (Interview No. 11.) A Divisional Court last December (1957) upheld the Society of Town Clerks' contention that it represented a section of trade or industry and that it was able to have "disputes" referred to the Tribunal. 29 *Mun. Review* 113 (1948).

¹⁶As of March, 1957, of the 387 Boroughs employing whole-time Town Clerks (the recommendations do not apply to part-time Town Clerks), 345 were applying the recommendations in their entirety, and 374 were applying all recommendations except the increased salaries scheduled to take effect 1st April, 1956. (Argument of Society of Town Clerks, Industrial Disputes Tribunal, Award 963 (1957).)

THE AUSTRALIAN NATIONAL UNIVERSITY

Canberra

Research Scholarships

Applications are invited from postgraduate students with capacity for research for Scholarships in POLITICAL SCIENCE including PUBLIC ADMINISTRATION.

The scholarships are tenable for an initial period of two years and may be extended for a third year. Scholars will be expected to enrol for a Ph.D. degree.

The present value of a scholarship is £A833 per annum. Married scholars with dependent children may be granted an additional allowance and the University will make a contribution towards a scholar's fares to Canberra.

Application forms and further information may be obtained from the undersigned,* to whom applications should be submitted, or from the Secretary, the Association of Universities of the British Commonwealth, 36 Gordon Square, London, W.C.1. The University regularly considers applications in June and November but special consideration may be given to applications at other times. Scholarships may be taken up at any time after award, including vacation periods.

*R. A. Hohnen,
Registrar,
Box 4, G.P.O.,
Canberra, A.C.T.,
Australa.

Committee Procedure

The Editor is grateful to the Controller of H.M. Stationery Office and to H.M. Treasury for permission to reproduce the major part of a booklet recently prepared within the Treasury for official use.

INTRODUCTION

1. This booklet is mainly intended as a guide on general points of procedure for the civil servant who is appointed secretary to a committee, and as an *aide-mémoire* for civil servants who act as chairmen of committees.

2. Committees have a variety of purposes : to advise, to co-ordinate, to inquire, to negotiate or to administer (though the last case is not common in the government service). They may also work at a variety of levels. Procedures therefore differ greatly from committee to committee. Some committees will receive evidence from witnesses and issue reports ; others are self-contained, and their minutes provide all the record of their conclusions that is necessary. Some are formal in their procedure, some quite informal. This booklet is intended to deal with most of the points which arise in connection with the main types of committee with which civil servants have to deal. It does not claim to be comprehensive nor attempt to distinguish in detail to what types of committee the various points apply, except that Chapter VIII deals specially, and at some length, with procedure at committees of the most important kind—those which conduct formal inquiries. The reader must therefore use his own judgment, or seek the advice of his colleagues, as to what parts of the booklet are applicable to a particular committee.

PRELIMINARY ACTION

3. Some weeks often elapse between the appointment of a committee and the date of its first meeting. This interval can appropriately be used by the members in reading such material as may be immediately available. In most cases certain facts, historical and descriptive and for the most part non-controversial, form the background to the inquiry, and it is best to get these facts narrated at the outset in one continuous story. The department which deals with the subject should therefore, as soon as the committee is set up, be invited to supply a written statement of these facts.

4. The secretary will usually circulate at the same time a paper giving the terms of reference and membership. He will find it convenient to have sufficient spare copies of this paper to enclose in letters inviting evidence or answering inquiries about the committee. It may be convenient at this stage to consult members of the committee about the dates and hours at which they can attend meetings.

5. The chairman may now wish to get the committee's agreement to a plan of work, and a preliminary meeting should usually be held for this purpose. The subjects to be discussed at such a meeting will vary, but may be sufficiently complex to warrant a chairman's note circulated beforehand in order to focus discussion. They are likely to include :

- (i) the meaning of the terms of reference, any possible ambiguities, the circumstances in which the committee has been set up, any limiting factors, etc. ;
- (ii) what kind of information the committee requires ;
- (iii) how this information should be obtained and in what order, whether by written statement or oral evidence or both, by members paying visits or by special investigations by persons working for the committee ;
- (iv) the frequency, length, times and dates of meeting ;
- (v) procedure at meetings.

6. With regard to (i) an outside chairman may wish to report the upshot of any discussions he may have had with the department sponsoring the committee. If ambiguities in the terms of reference become apparent at any stage, or if it should be desired to ask for some alteration in them, reference should be made to the department.

7. With regard to (iv), a committee which has a regular flow of work to deal with should, if possible, choose, and keep to, a regular meeting date and it should be understood that this date will not be changed, save in the most exceptional circumstances. The business will then be made ready for the committee, instead of the committee having to wait until the business is ready. Many committees do not have such a flow of work and need meet only irregularly. In these cases, the chairman and the secretary have a special responsibility for seeing that a good momentum is maintained and that when there is business to be done the meeting date is fixed as early as circumstances allow.

PREPARATION OF COMMITTEE PAPERS, AND OTHER PREPARATORY WORK

8. In order to save the committee's time it is usually important that the problems it will have to discuss should be placed before the members in writing, well in advance of the meeting. The secretary will sometimes have to draft memoranda on the topics for discussion ; at other times he will have to see that other people produce papers in good time, and may need to edit them.

9. Committee papers, like other official documents, should be written in good plain English ; every secretary should study Sir Ernest Gowers' *Complete Plain Words*.^{*} They should be concise and logically arranged and set out the relevant facts and arguments impartially. Special care should be taken to ensure ease of reference at meetings ; paragraphs should be numbered and if the paper is a long one it should be sign-posted with side headings, and should probably have a summary at the end. A contents paragraph at the beginning may sometimes be useful. Lengthy details, e.g. tables of figures, can sometimes be put into an appendix to the paper so as to make the paper itself easier to read.

10. There should be a standard heading including the name of the committee, the title, serial number and authorship of the paper, and perhaps a file reference number so that no matter into what department the paper

^{*}Published by H.M. Stationery Office, 1954. Price 7s. 6d.

may find its way, it will tell its own story. Many departments have separate clerical sections specialising in the routine side of committee work—arranging for the reproduction of documents, circulating them, and keeping custody of spares. Where such a section exists the secretary should agree the form of heading for all committee documents with them. If the committee is likely to last for some time duplicated copies of the various headings may be useful for the preparation of drafts.

11. An agenda setting out the main headings for discussion should also be prepared. The agenda and supporting papers should reach members in time for them to be able to give adequate thought to the problems to be discussed. Even in the case of committees which meet regularly and discuss topics within a narrow field, papers should reach members at least 48 hours before the meeting. For other committees a week or more of notice may be desirable. Papers which require consideration may of course be circulated before the agenda, and on the other hand it may be necessary for the agenda to indicate that a paper will be circulated later. It may sometimes be desirable to check by telephone, before the agenda is issued, that all the members whose presence is essential for the discussion proposed can attend at the time stated.

12. Officials or departments not regularly represented may have an interest in a particular item and need to be invited to the meeting at which it is to be discussed.

Chairman's Brief

13. The amount of briefing which the chairman needs will depend upon circumstances. Sometimes the secretary need do no more than pass on any recent relevant information, e.g. that certain members will not be present; sometimes the chairman will need a brief which will summarise the main points he should make and help him in planning the meeting. It may usefully include notes about the views particular members are likely to express. Such a brief is almost invariably supplied if the chairman is a Minister.

14. The brief can sometimes consist of a skeleton set of short notes, in telegraphese if this makes for clarity. If the notes are well spaced out on the paper with a large margin the chairman can make his plan of action by annotating the brief. If he alters it much he may have it typed out again and given to the secretary before the meeting. This ensures that the secretary is still "in the chairman's mind."

Room, Seating, etc.

15. Well before the meeting the secretary should have ensured that a room has been booked which is adequate for the purpose, properly heated, ventilated, etc., and quiet. He should also ensure that members and visitors are shown the way to the room.

16. A round or square table (or several tables in a square)* will generally be

*"A long table, and a square table, or seats about the walls, seems things of form, but are things of substance; for at a long table, a few at the upper end in effect sway all the business; but in the other form, there is more use of the Counsellors' opinions that sit lower." (Sir Francis Bacon: "Of Counsel.")

best since members on the same side of a long narrow table can neither hear nor see one another. If the table is rectangular the chairman usually sits at the centre of a long side. The secretary sits beside him to hand him papers and to receive his instructions. If it is thought necessary to decide beforehand where individual members are to sit, a seating plan should be clearly displayed and in addition, to avoid confusion, a card with the member's name prepared for each place. If witnesses are to attend who do not know the committee members, the cards should be double-sided. A less formal way of making sure that all members know each other, where a committee meets rarely or has changing membership, is to circulate a sheet of paper on which members can write their names and the names of their departments. If there is any danger of casual interruption a notice should be hung on the door while meetings are in progress. Pencil, ink, paper and blotter should normally be provided at each place on the table, and any maps, diagrams or reference books which may be required should be available beforehand. An ash-tray should be within each member's reach. Where appropriate, refreshments should arrive at a given time and be put down and distributed without distracting the committee and (if possible) without taking the secretary away from his job of note-taking.

Action Immediately Before the Meeting

17. A secretary of a committee should be the first to be present and should allow time to check that all arrangements have been made and that members or others attending the meeting are not at a loss on arrival. He should have with him any papers to which reference may need to be made during the meeting and should also have some spare copies of the agenda and any papers which are due for discussion in case copies have not reached some members or have been left behind by accident.

CONDUCT OF THE MEETING

18. The initiative which has previously rested mainly with the secretary now passes to the chairman. He should have read his papers with special care before the meeting and have made a plan for drawing out the views of members in a reasonable order. In so far as he can foresee the views that will be expressed, he should have planned how he will regulate the subsequent discussion. If possible, he should have formed some view, but not a rigid one, of what the conclusion should be.

19. He should introduce each item briefly so that there may be no doubt about the subject under discussion or the main points to be settled. He should ensure that all members who have a contribution to make are given an opportunity to speak, controlling the talkative and, where necessary, drawing out the silent. He should hold the thread of the discussion, summing it up at intervals if necessary, and should contribute to it helpfully but not too much. He should be able to seize upon any points which can serve as tentative conclusions. He should above all think in terms of the "whole" so that the various "parts" represented by the advice of different members of the committee can be fitted into a single framework and can appear as different sides of the same problem rather than as contradictions.

COMMITTEE PROCEDURE

20. Finally, he should ensure by his summing up that the conclusions reached are fully understood and accepted or, if there are reservations or disagreement, that these have been fully appreciated by all the committee. Members ought not to have to wait for the minutes in order to find out what has happened.

21. Meanwhile, the secretary must follow the progress made against the agenda or the chairman's brief, make notes and draw the chairman's attention to any point of substance that has been missed or to any point where it seems that members may be left in doubt as to the decision reached or the responsibility for execution. Apart from this, he should normally not take an active part in the discussion.

22. His notes should be based upon the thought or idea being expressed, and not on the actual words used in expressing it except for any striking phrases which can be used as guide posts, or for any key phrase to which discussion returns, or any formula mentioned by the chairman or a member. They should however err on the full side and include all points that might later be found to have significance to the decision taken. Conclusions and directions for action need to be recorded clearly and positively. Some secretaries have a large note book for all rough notes, thus avoiding the risk of loss which notes on loose sheets entail.

DRAFTING OF MINUTES

23. A good minute of a meeting is:

- (i) brief;
- (ii) self-contained;
- (iii) to the full extent that the discussion allows, decisive.

24. Brevity should be sought in two ways :

- (i) First, a minute should be selective. It is not a verbatim record, and should not attempt to reproduce, however summarily, what every speaker said. It is a skilled summary of proceedings and should record only the essence of the discussion, picking up the main threads which lead to the conclusion.
- (ii) Secondly, the points selected for inclusion in the minute should be recorded as briefly as possible. The secretary should make use of any striking phrases used in the discussion—this will help to reflect the tone of the meeting—but should not attempt to set out the course of the arguments as they were developed by the speakers, as this will usually lead him into an unnecessarily diffuse style. He will find it easier to be concise if he dictates the minute without following too closely the rough notes taken at the meeting.

25. A minute should normally be self-contained, so that it is intelligible without reference to other documents. This may not seem important at the time, when the subject is topical and other relevant documents are fresh in people's minds. But minutes are usually designed not only as a basis for

current action, but also for permanent record ; and for purposes of subsequent reference they are much more valuable if they can be understood by themselves.

26. The minute should be as crisp and decisive as possible. This is specially important for the conclusions (see paragraphs 39 to 42 below). But it applies also to the record of the discussion. The secretary should not try to reproduce what the speaker said ; he should get down to the essential core of the discussion and record that as briefly and as clearly as possible.

Structure of a Minute

27. The first purpose of a minute is to set out the conclusions reached so that those who have to take action will know precisely what they have to do. The second is to give the reasons why the conclusions were reached. A minute should, therefore, fall clearly into three parts :

- (i) the statement of the problem ;
- (ii) points in discussion ;
- (iii) conclusion.

28. It is a good rule to think out the sequence of a minute before beginning to dictate it, and to work backwards from the conclusions. The secretary should first decide what are the conclusions to be recorded and keep those clearly in his mind while dictating. This will help him to decide how much of the discussion needs to be recorded and in what order it can best be arranged.

29. To produce a good minute the secretary must get clear, before he starts, the framework round which he is going to build, i.e., the essential points leading up to the conclusion. He will not get the same result if he first tries to summarise everything that was said and then considers what he can afford to miss out.

The Statement of the Problem

30. The minute should begin by recording the memorandum or memoranda under discussion, giving the number and origin of each. Thus :

“ The Committee considered a paper by the Ministry of ‘ X ’ (XY(56)15) on ”
or, where there are several memoranda :

“ The Committee had before them the following memoranda on such and such a subject.
..... ”

31. Next, the minute should set out the problem for decision. It should not summarise the whole of the memoranda under discussion ; the sole purpose of this opening statement is to make the record of the subsequent discussion intelligible without reference to other documents. This can usually be achieved in a few lines. If not, the subject should be stated and the reader left to refer to the memoranda themselves.

32. Many discussions begin with a statement by the author of the memorandum before the meeting, who either summarises or enlarges upon his memorandum. It is a good rule not to include in the minute both a summary of the memorandum and a record of the author's opening statement. If the speaker adds nothing to what was in his memorandum the secretary can confine himself to a summary of that ; if he enlarges upon it the secretary can omit the summary of the memorandum and put into his mouth a comprehensive statement covering both the essential substance of the memorandum and the supplementary points brought out by the speaker.

Points in Discussion

33. The minute, after stating the problem for decision, will usually proceed : "The following points were raised in discussion," and will then set out, in separate numbered paragraphs, a concise summary of the various points made before the conclusion was reached. It should avoid at all costs the form "Mr. A said..... Mr. B. replied....., Mr. C. then pointed out....." This leads inevitably to a discursive description in a conversational style, in which the essential thread of the discussion is obscured.

34. With many types of committee it is desirable that this part of the minute should be impersonal, i.e., that it should not attribute views to persons. The main advantages of this form are : first, that it makes for brevity—a point can usually be recorded more concisely in an impersonal form. Secondly, a point raised by one speaker will often be taken up and developed by others ; in an impersonal minute the secretary need record it only in its final form ; if he attributes it to the original speaker he will have to add the comments and re-state it. Thirdly, it is often convenient to weld together into a single paragraph a number of points made by various speakers. Fourthly, the impersonal style tends to avert suggestions for amendment of the minute, for members naturally look with special care at paragraphs which attribute statements to them personally, and tend to ask for additions and modifications which are not strictly necessary for the purpose of a minute.

35. On the other hand it is necessary to attribute views to persons where a speaker reserves his position or registers dissent, where a specifically departmental point of view has been put forward, or where a suggestion has been made to safeguard departmental interest. A conflict of interest between two departments must also mean, as a rule, that the views expressed on each side must be attributed to their representatives. With some committees (for example, those which are negotiating bodies) the impersonal form of minute would be inappropriate.

36. When using the personal form the secretary may sometimes avoid a discursive style by listing the points made and putting the speaker's name in brackets after each.

37. It is often inexpedient to reproduce the points in discussion in the order in which they were made. It is better to look forward to the conclusion, and arrange the points in the logical order in which they lead up to it.

38. The secretary should not hesitate to discard the irrelevant and the

inessential. Much said in a discussion need not be recorded. And much that was relevant to a certain stage in the discussion may, in retrospect, be found unnecessary to the conclusion eventually reached.

Conclusions

39. A minute should end with conclusions which are clear and precise. The chairman will sometimes have summed up the discussion and indicated the conclusion reached. But, if he has not done so, it is the duty of the secretary to draft a set of conclusions which express fairly the sense of the meeting. There are many occasions on which the members of a Committee are not altogether clear what has been decided until they see the minutes. It is a proper function of a secretary to clarify, as well as to record, the results of a meeting. The secretary should not shirk this function but he should not frame conclusions which go beyond what is implicit in the general sense of the discussion and should, if in doubt, consult the chairman by showing him the minutes in draft.

40. Where action is required, the conclusions should place the responsibility firmly upon a department or individual to carry it out. Thus, the minutes should never read "... agreed that a memorandum should be prepared ..." but "... invited A (or the Ministry of ...) to prepare a memorandum on. . . ." If several committee members or departments are concerned it should name them all but be careful to indicate with whom the initiative is to rest: thus, "... invited the Treasury, in consultation with the Board of Trade and Ministry of Health, to prepare a memorandum."

41. To make them stand out as clearly as possible, it is often convenient to divide the conclusions into their constituent parts, putting each into a separate paragraph. Thus:

"The Committee

- (1) agreed in principle that . . . ;
- (2) invited the Treasury to . . . ;
- (3) instructed the secretary to. . . ."

42. The conclusions will normally be set out at the end of the minute. if, however, the minute falls naturally into a number of different sections, the conclusions can be interspersed in the record of the discussion instead of being brought together at the end of the minute. In that event each separate section should end with the relevant conclusion, inset in the text and serially numbered. Whatever layout is chosen for the conclusions it should for ease of reference apply uniformly to all minutes of the committee and it may be convenient to number the conclusions serially.

43. Practice varies as to whether the secretary should obtain the chairman's approval to the minutes before they are circulated; probably in most departmental committees he should do so. He should certainly consult the chairman if there is doubt about any of the conclusions. The minutes should rarely be submitted to other members because of the delay which this causes, though occasionally it may pay to clear a difficult point with the member most concerned in order to avoid subsequent queries.

COMMITTEE PROCEDURE

44. The preparation of minutes should be treated as urgent. Delay in circulating them often means that the taking of action on conclusions will be delayed. Moreover they are easier to write while the discussion is fresh in the writer's mind and it is fairer to give members the opportunity of verifying the correctness of the record while their memories also are still fresh.

WORK BETWEEN MEETINGS

45. The secretary should prepare and maintain a circulation list of committee papers for his own use or that of the committee section, if there is one. There are usually a number of recipients of some or all of the committee's papers who are not members of the committee. The list should usually be approved by the chairman in the first place. The circulation list of a standing committee is liable to get badly out of date and needs to be reviewed periodically and reduced if possible.

46. Many committees receive correspondence which has some bearing on the matters at issue but does not merit circulation in full. A summary of such correspondence may be circulated periodically, and it can be made clear to members that the originals are available for anyone to see who may desire them. If the matter circulated to members is very voluminous it may be found helpful to circulate a summary in addition to the original document.

47. It may also be desirable to circulate periodically to the committee a list of the documents so far sent to them if these are numerous. The list could either be in date order or classified in any convenient way. In any event all documents circulated should be numbered in one or more series so that members can see if they have missed or lost any papers.

48. For many committees, particularly for those which hear evidence from several witnesses, it is valuable to keep in the office an up-to-date index of all important matters mentioned in discussion. This enables points to be picked up as the work of the committee goes on so that the later witnesses may be asked their views on points raised by the earlier ones.

49. Members of the committee or witnesses may from time to time have been asked by the chairman to submit a further note on certain points. The secretary will need to keep a record of such outstanding points and remind the people concerned as necessary. In addition the committee's conclusions may call for action by individuals or departments. In this case the secretary, even if he is not responsible for seeing that the action is taken, may quite properly keep an eye on the progress made and report difficulties or delays to the chairman. It is often convenient simply to keep a list of such outstanding items, new ones being added after each meeting and old ones being struck off as they are disposed of.

50. With some committees where members hold widely differing views on the subject matter of the enquiry, it may sometimes help if arrangements can be made before or after a meeting for the members to lunch together for this is likely to help the development of a friendly spirit.

REPORTS

51. To ensure consistency of style and content a report should as far as possible be the work of one hand. This normally means that the chairman will ask the secretary to prepare the first draft and the secretary should keep a close watch on the effect of any alterations or additions made by others.

52. Every member should send in his comments at the appropriate stages and the secretary should ensure that he does so. A large committee should, however, not have to go through a draft report paragraph by paragraph except briefly for final approval. Much of the work of polishing and revision can be done by the chairman and secretary separately or together or by a small drafting sub-committee.

53. One of the difficulties in drafting a report is to divide up the material into suitable sections and to get agreement on the most suitable order for dealing with the different subjects clearly and without overlapping. A good deal of time may be wasted in writing up a particular subject in detail, only to find that the scheme of the report as a whole requires different treatment of a subject from that adopted in the draft. It is therefore advisable before starting to write up any section of the report to draw up a skeleton of the report as a whole.

54. The first stage might be a list of chapter headings, and of subjects to be dealt with in each chapter. The second stage might be to draw up the argument of each chapter indicating the points to be touched on, the evidence to be summarised, the facts or statistics to be cited. This document should be short and clearly arranged and could be written in telegraphese.

55. When the skeleton has been completed, for the whole report or for earlier chapters, it will very likely be found that the arrangement does not work out as happily as might be, and that the scheme of the report requires a good deal of modification. This can be done much more quickly while the document is still in skeleton form than if the report has been partially "written up."

56. It is usually a mistake for the chairman to circulate a draft report for consideration by the committee before their conclusions had been discussed in detail. If this is done the draft is sure to be revised a good deal in matters of substance; and the greater the care that has been spent on the form of a document, the harder it is to revise it satisfactorily. It is therefore advisable before attempting to write up any part of the outline to circulate to the committee a note setting out in substance the points to be covered by that particular section.

57. This procedure may involve the secretary in preparing drafts for each section of the report in three stages:

- (i) the skeleton in telegraphese;
- (ii) the chairman's note for discussion by the committee written more carefully than (i) but not with such care as the report itself;
- (iii) a draft chapter of the report.

This may seem to involve a good deal of repetition, but in practice the time

COMMITTEE PROCEDURE

is well spent if it means that the draft report embodies agreed conclusions in a roughly agreed form. The writing of the report will then occupy far less time than would otherwise be the case.

58. There is usually a short introductory section which may contain any or all of the following : terms of reference, date of appointment, membership, circumstances in which the committee was set up, steps taken to gather facts and opinions, number of meetings held, and a brief indication of the layout of the report (including page or paragraph reference to a summary of recommendations).

Summary of Recommendations

59. This is of great assistance in studying the report and should always be included. Sometimes the recommendations can be set out in full. Sometimes they will have to be summarised ; but in this case, care should be taken to avoid confusion arising from phraseology differing from that adopted in the body of the report.

Expression of Disagreement

60. Where a committee has failed to reach agreement on certain points one of two courses should be taken. The opposing views may be set out in the body of the report without saying which members held them, thus : " Some of us think . . . , others however think . . . ", or the dissenting members may sign the report subject to reservations which are appended to the report and signed. The essential point is that agreement should be reached if possible, but if not, differences of view should not be obscured.

Numbering

61. The paragraphs of the report should be numbered consecutively throughout. To have a paragraph 1 in every chapter makes reference difficult and confusing. Altering the numbering of paragraphs can be laborious, and, at the proof stage of a printed report, expensive. It may therefore be found helpful to have two or three short paragraphs in each chapter which can be combined if further paragraphs are introduced at a later stage ; this will save altering the numbering right through the report. Conversely, if paragraphs are omitted existing paragraphs can often be split.

Significant Economy

As a planning figure, you can assume that the minimum saving achieved by setting up an ASSMANN Recording Centre is in the order of £120 p.a. per dictating point. This saving is in salaries alone, without overheads.

You can also assume a saving of 35% to 50% in typewriters, desks, and space occupied by shorthand-typists. The capital cost of installation varies from £75 to £55 per dictating point. The running cost, including full maintenance, is around 6% of capital cost.

The benefits include:—

Earlier availability of finished letters, memos, minutes, etc.

No expenditure on "Temporaries" at holiday time.

Better layout of letters, and fewer errors.

Our equipment is fully developed, and proven in operation; incorporates the latest electronic know-how; is simple, and totally reliable.

Would you like to see a Recording Centre in action? Drop us a line, or telephone.

ASSMANN Dictating Systems Ltd.

27 CRAVEN STREET, LONDON, W.C.1 TRAFalgar 6655

AN INTRODUCTION TO

AMERICAN ADMINISTRATIVE LAW

By BERNARD SCHWARTZ, LL.M.(Harvard), Ph.D., LL.D.(Cambridge). Here is an enlarged and completely rewritten version of *American Administrative Law*—a short study of the subject published in 1950 for the British reader. It has been published in response to a wish by many people for an account of the developments of American administrative law—a system based on the same common-law traditions as that of Britain and one that will provide many useful analogies. In addition, with its clear style and focus on fundamentals, the book will be invaluable to students who need an introductory comparative treatise on the subject. From booksellers, 50s. net.

PITMAN Parker St., Kingsway, London, W.C.2

Tribunals and Inquiries: Developments Since the Franks Report¹

By GEOFFREY MARSHALL

A review by Mr. Marshall of the Report of the Committee on Administrative Tribunals and Inquiries appeared in the Winter 1957 issue.

REACTIONS to the Franks Report have in large measure reflected the conflicts implicit in the evidence originally presented to the Committee. Some have protested that the proposals would slow down the operation of the administrative process. Others, equally emphatic, have regretted that opportunities for additional controls over the activities of government departments were not seized whilst the reforming iron was hot. Lord Lucas of Chilworth, for example, moving an amendment in the Lords on 22nd April, 1958, to the Tribunals and Inquiries Bill, thought that the battle between the individual and the executive had reached a critical point. His object was "to put more Franks into the Bill than was there at present." (The assumption might well provoke in Sir Oliver the feelings which prompted Marx's "Je ne suis pas Marxiste.") Perhaps in the face of some crying forward and others crying back, the members of the Committee could be justified in feeling that the execution of their terms of reference cannot have been very far wide of the mark.

The Report was debated in the Commons on the 31st October, 1957.² The Home Secretary stated that of the 95 recommendations, 71 had been accepted by the Government without any substantial reservation, 8 accepted in part, 4 not accepted, and 12 reserved in whole or part for further consideration. The Committee's major proposal for standing Councils to make detailed recommendations about the working and procedure of administrative tribunals was to be accepted in modified form. A single Council (not two) was to be set up by the Lord Chancellor and the Secretary of State for Scotland acting jointly. A committee or panel of the Council would deal with matters of special concern to Scotland. The Council would be consulted by the Government before any new tribunal was established. Restrictions on the right to legal representation would, as recommended by the Committee, be removed (the consent of the tribunal to representation being necessary in the case of National Insurance and Industrial Injuries local tribunals), except that further consideration would have to be given to the local service committees in the National Health Service. The Government did not feel able to accept the recommendation that the Council should appoint tribunal members. The appointments would be made by Ministers after consultation with the Council. Any other arrangement, Mr. Butler suggested, would not preserve proper accountability to Parliament. This point was repeated by the Attorney-General, Sir Reginald Manningham-Buller, and later by the Lord Chancellor in the House of Lords.³ In moving the second reading of the Government's Bill in the following April, the Lord Chancellor added the argument that considerable staff might be needed, if the proposal were accepted. The latter is an intelligible consideration but the Parliamentary accountability point seems obscure. If the Franks Committee's proposition

is accepted that tribunals are not a part of the administration but a section of the country's judicial machinery, appointments ought to be of no more direct departmental and Parliamentary concern than is represented by the chain of accountability in the judicial system proper, via the Lord Chancellor's Department. Under the second heading of the terms of reference, a comparable view was taken by the Government about the appointment of inspectors to hold public local inquiries. They would continue to be appointed by Ministers, but the Lord Chancellor would be consulted and they would be dismissed only with his consent. Here, perhaps, the Government could claim to be following the logic of the evidence presented to the Committee; since despite its emphasis on the necessity for an appearance of impartiality, the Report concedes that the public inquiry is not a purely judicial form of proceeding (paras. 272-4) and it is possible to hold that sufficient tribute to its "adjudicative" nature (para. 275) is paid by acceptance of the proposals for publicity, publication of reports and increased opportunity for cross-examination.

Other points made in the Home Secretary's speech were that legal aid could not yet be extended to tribunals, and that the Government could not agree to place acquisition of land by the service departments on the same basis as acquisition for other purposes. There would be a statutory right to object at a private hearing by a person appointed by the Lord Chancellor, but it would not be possible to publish the reports in these cases.

Of the 22 speakers in the Commons debate, only one, Mr. R. T. Paget, was actively critical of the Report. The multiplication of legal procedures in the acquisition of land would, he urged, make administration sluggish and tend to protect ministers against parliamentary criticism of their decisions. "Fairness" and "impartiality" as applied to public inquiries were "just wind" (a phrase which may have owed something to a former Attorney-General's reference to "letting off steam"). The most detailed criticism came from Sir Lynn Ungoe-Thomas. A distinction, he thought, should have been clearly drawn between the administrative-advisory and the fact-finding-adjudicatory functions of inspectors, and the second function made independent in both appearance and reality. Instead of the proposed Council he would have preferred a non-party committee of the House, including parliamentary draftsmen, and modelled on the Statutory Instruments Committee, to advise on new procedures and new tribunals where these were to be set up.

On the 27th November, 1957, the Lord Chancellor announced that the Government would go ahead immediately with the necessary legislative and administrative changes. In one respect these were more extreme than the measures recommended by the Report. The Committee had criticised the exercise of adjudicatory functions by agricultural executive committees and recommended that they should be handed over to new tribunals with an appeal to an Agricultural Land Tribunal or the Scottish Land Court. In March the Government published an Agriculture Bill which included among its provisions the complete repeal of the supervisory, directory and dispossession powers exercised under the 1947 Act.⁴ (The disciplinary activities of the executive committees have in fact been withering away for some years. In 1950 810 supervision orders were made. By 1956 the figure was 63.)

A number of administrative changes has also followed the Committee's recommendations. Hearings before Military Service (Hardship) Committees have, under new regulations made by the Minister of Labour and National Service, been opened to the public and the right to legal representation conceded. The major instalment of administrative innovation has, however, been in relation to public local inquiries. On 27th February the Minister of Housing and Local Government circulated to Local Authorities in England and Wales a memorandum dealing with a number of changes in procedure.⁵ Paragraphs 3-26 of Circular 9/58 are reproduced in an Annex.

Under these arrangements it seems that the publication of reports is to be confined to appeals dealt with by public inquiry and that the Ministry is not prepared to extend the principle of publication to cases in which an objector has his case dealt with by a hearing before a departmental officer. Perhaps in the light of the Ministry's evidence to the Franks Committee the reluctance is understandable. Having been induced to shoulder the embarrassment of a potential difference of opinion between Minister and inspector, the Department could hardly be expected to relish the possibility of discordant voices *intra muros* issuing from the same doorway in Whitehall. One drawback about the detailed provisions laid down in the Ministry Circular is that they have at present no legal effect. It is stated, however, that a code of rules of procedure will be drawn up for the conduct of public inquiries by the Lord Chancellor after the advice of the Council on Tribunals has been taken. These will be embodied (if para. 310 of the Report is followed) in statutory form.

The Tribunals and Inquiries Bill

The major recommendations of the Report requiring legislation are provided for in the Tribunals and Inquiries Bill published as a Lords Bill⁶ in March 1958. Moving the second reading in the Lords in April the Lord Chancellor said that it had been necessary to proceed by way of inserting a list of tribunals into the statute since the term "tribunal" defied definition in simple terms. Accordingly 23 bodies are listed by name as falling under the general supervision of the Council and 12 more under the supervision of its Scottish Committee. The Council itself is to consist of not more than 15 or less than 10 members and its duties are defined as the keeping under review of the constitution and working of tribunals, and the reporting from time to time on such matters as it may deem to be of special importance (or which may be referred to it) with respect to administrative procedures involving a statutory inquiry. An annual report of the proceedings of the Council and its Scottish Committee is to be made to the Lord Chancellor and the Secretary of State, who are to lay the annual report before Parliament with such comments as they think fit.

Responsibility for the appointment of tribunal chairmen is, as was envisaged, transferred to the Lord Chancellor and the Lord President of the Court of Session, whose consent is specifically required before the dismissal of any member of a tribunal. Clause 8 implements the recommendation of a general appeal on points of law from tribunals, with the exception of the National Insurance and Industrial Injuries Commissioners and the National

Assistance Appeal Tribunal. Read together, clauses 8 and 10 may turn out to represent the crystallisation of a substantial shift of feeling about administrative adjudication in this country. What clause 10 says in effect is that statutory provisions ousting the jurisdiction of the courts shall cease to oust—"Any provision in an Act passed before the commencement of this Act that any order or determination shall not be called in question in any court or . . . which by similar words excludes any of the powers of the High Court shall not have effect so as to prevent the removal of the proceedings into the High Court by order of *certiorari*." Though the side note describes this provision in the words "extension of supervisory powers of superior courts," it is not entirely clear whether it goes beyond decisions already laid down in the courts. Most of the post-war social service statutes which provide for the determination of disputes by a tribunal or appeal by a Minister contain sections which enact that determinations shall be "final" (e.g., National Insurance Act, 1946, s. 43), or that they shall be "conclusive for all purposes" (National Assistance Act, 1948, s. 14), or that they shall not "be called in question in any court of law" (National Service Act, 1948, ss. 15 and 22).

Though it is established that only clear words will oust the supervisory jurisdiction of the High Court, most laymen would take it that the legislature had in fact used here sufficiently plain words for just that purpose. Yet judicial standards as to what constitutes explicitness seem to have varied. In 1953, in *Gillingham Corporation v. Kent County Council*,⁷ the words "Shall be determined by" which in the absence of any formula about finality or conclusiveness might have arguably left open the question of review were held to be "perfectly plain" and to preclude it. Yet in other instances the presence of an ousting formula providing for "final" or "conclusive" decision has not prevented the issuing of *certiorari* or declaration on the ground (as Denning, L. J., put it in *Barnard's case*)⁸ that it is axiomatic that "when a statutory tribunal sits to administer justice it must act in accordance with the law. Parliament clearly so intended." Though the danger might exist that "by a side wind one could get an appeal to the courts in a case where Parliament intended that there should be none" there was "no limit to the power of the court to grant a declaration except such limit as it may in its discretion impose upon itself."⁹ Several recent cases decided on these principles indicate that the distinction between setting right a miscarriage of justice and reopening a question which Parliament intended to be closed is not always a clear one. In 1957 a decision of the National Assistance Board was reviewed by declaration¹⁰ though the National Assistance Act, 1948, provides that "any decision of the tribunal shall be conclusive for all purposes." In the same year *certiorari* issued to quash a Medical Appeal Tribunal¹¹ decision despite the provision that "any decision of a claim or question . . . shall be final." In another case under the same regulations, where the extent of a disability payment depended upon the question whether an injured finger was an "organ of the body" or a part of a paired organ (the hand), it was held on an application for *certiorari* that the tribunal had been in error and that an injury to a finger was to be construed as an injury to the hand.¹²

In the face of the provisions now contained in the Tribunals and Inquiries Bill it would appear that even more extreme formulae (providing, for example, that a decision "shall not be questioned in any legal proceeding whatsoever") will not prevent the review of questions of this type by *certiorari* where the reasons for a tribunal decision appear on the face of the record. It will at least now be possible to regard this fact as an undoubted deed of the legislature and an open change of heart. All the same it is a change of heart, and it is difficult to feel that the draftsmen did not intend the excluding formulae to have more bite than they are now thought capable of. Something of their ferocity is perhaps retained by the proviso to clause 10 of the Bill, which enacts that it shall not apply where an Act makes special provision for an application to the High Court within a time limited by the Act (e.g., under Planning, and Acquisition of Land legislation). This will be more important in the area of inquiries covered by the second half of the Franks Committee's terms of reference, where the courts have in any event been less assertive in interpreting legislative attempts to exclude them.¹³ The Tribunals Bill, of course, only refers to ousting clauses "in an Act passed before the commencement of this Act." It does not (as it could not) inhibit Parliament from placing them in any future measure giving jurisdiction to tribunals. But it confirms the recent judicial tendency to say that the decisions of such bodies can hardly be given conclusiveness or what Denning L.J. described as "the impress of finality"¹⁴ merely by calling them "conclusive" and "final."

ANNEX

An extract from Circular 9/58 of the
Ministry of Housing and Local Government

Cases to which the Circular Applies

3. This circular relates to inquiries held on behalf of the Minister of Housing and Local Government (i) into orders involving the compulsory purchase of land; (ii) into clearance orders under Part III of the Housing Act, 1957; and (iii) in cases arising under Part III of the Town and Country Planning Act, 1947. A separate circular will be issued about development plans.

Procedure Before an Inquiry

4. The Committee recommended that acquiring and planning authorities should be required to make available, in good time before the inquiry, a statement in writing giving full particulars of their case. The Government have accepted this recommendation in principle; and this is one of the recommendations to which it is proposed to give effect in due course by rules of procedure. In the meantime, however, practical effect can be given to the recommendation by administrative means, and the Minister invites local authorities to make arrangements on the following lines.

5. When a local authority is proposing to acquire land compulsorily, it should prepare a statement in writing setting out clearly the reasons for its proposals, and should make this written statement available to those affected as early as possible so that they will be better able to prepare and present their

case. It is desirable that the statement should accompany the statutory notice of the proposal to persons with an interest in the land. A copy should ordinarily be furnished to any other person who lodges a written objection.

6. In the case of clearance and compulsory purchase orders made under Part III of the Housing Act, 1957, a local authority is already under a statutory obligation (paragraph 3 (4) of the Third Schedule and paragraph 5 (3) of the Fifth Schedule) to serve on any objector who claims that his house is not unfit a notice stating the main grounds on which unfitness is alleged. For a compulsory purchase order under Part III, therefore, it will be sufficient for the statement in writing, in addition to setting out the authority's reasons for the acquisition both of the houses in the clearance area and of any adjoining land included in the order, to deal in general terms with the condition of the unfit houses in the clearance area. No new arrangement is necessary for clearance orders.

7. In planning cases Article 5 (9) (a) of the General Development Order, 1950, already requires the planning authority to state its reasons in writing when it decides to refuse an application or to grant permission subject to conditions. It is important that this statement should be full enough to give the applicant adequate understanding of the reasons for the authority's decision. For example, it is not ordinarily sufficient to say merely that the development "would be injurious to amenity" or would "be contrary to the provisions of the Development Plan." In the former case, it should be explained what is the amenity that would be injured; in the latter precisely what provisions in the Plan are involved and how they apply.

8. When the applicant has notified his intention to appeal, and desires to be heard, it may be that the local planning authority will need to amplify the reasons already given to him for the decision. At this stage it is essential that the applicant should know, as fully as possible, what is the case he has to meet. If, for example, the authority has taken account of any Ministerial statement of policy or of any Departmental circular in coming to its decision that should be explained—with a reference which will enable the applicant to look it up for himself. Indeed, the more clearly that authorities can explain their reasons at the outset the better; but if they do not find it practicable to supply a full statement when giving their decision they must do so in good time before an inquiry. They are also asked to furnish as full a statement as possible where the inquiry is arranged following an appeal against failure to issue a decision within the statutory period. It would be helpful if a copy of any statement furnished to the appellant under this paragraph could be sent to the Ministry of Housing and Local Government.

9. Apart from the formal procedures referred to above, the Committee recommended, and the Government agree, that in acquisition cases it is desirable that local authorities should as far as possible give early notification of their proposals to those with a statutory interest in the land: and that in planning cases, where the application cannot be immediately accepted as it stands, the local planning authority should be ready to authorise its officers to discuss the application with the applicant before giving a decision, wherever this can usefully be done. The Minister believes that these recommendations follow what is already the fairly general practice of local and planning

authorities, but he asks that every authority should consider whether it cannot improve on its present practice. Much time might be saved if authorities could do more to explain to applicants the reasons why particular proposals are not acceptable.

10. Where, by the Minister's direction under section 15 of the Town and Country Planning Act, 1947, a planning application is referred to him for decision, the General Development Order, 1950, provides that the local planning authority shall serve on the applicant notice of any reasons given by the Minister for issuing the direction. The Minister will normally indicate in his statement of reasons the main points which, on the information then before him, appear to him to be relevant. This too should be forwarded by the authority to the applicant for guidance in presenting his case.

Procedure at Inquiries and Hearings

11. In due course a code of procedure at inquiries will be embodied in rules made after consultation with the Council on Tribunals. In the meantime, no alteration of existing practice is proposed.

12. It is contemplated that the proposed code will put a formal obligation on the initiating authority to explain its proposals fully at the inquiry and support them by oral evidence. Meanwhile authorities are asked to secure that those representing them at inquiries do everything they can to ensure that their proposals or objections are fully understood and properly supported.

Departmental Witnesses

13. Where the Minister is himself the initiating authority, he will make available a statement in writing before the inquiry, and a representative from the Department will be available at the inquiry to explain the proposal and to answer questions in elucidation of it. This procedure will also apply where the Minister has issued a direction requiring a planning authority to take a certain course. Similarly, the Minister of Transport and Civil Aviation will make a representative available at the inquiry where planning permission has been refused or conditions imposed in consequence of a direction issued by him under Article 7 of the General Development Order, 1950.

14. Where a Department has expressed positive views for or against a proposal which is the subject of an application, and those views form part of the authority's case and are referred to as such in the written statement furnished by the authority, a representative from the Department will attend the inquiry and be available to give evidence if the appellant (in the case of a planning inquiry) or any owner, lessee or occupier of land who may be affected (in the case of a compulsory purchase order) has, on receiving the statement, asked for the presence of such a witness at the inquiry.

15. For example, if a planning authority's decision to refuse an application is based either wholly or partly on advice from the Ministry of Agriculture, Fisheries and Food, and if in its written statement of reasons it includes this advice, a representative from that Department will be available to give evidence at the inquiry if required by the appellant. In such a case therefore the applicant should be informed, when the authority's written statement is sent to him, that if he should decide to appeal and would wish a representative

from the Ministry of Agriculture to attend at any inquiry, it will be necessary for him so to inform the planning authority. The notification to the applicant should explain that such a representative would not be liable to cross-examination on questions of Ministerial policy but only on matters of fact and expert opinion.

16. On learning that the attendance of a Departmental representative is required, the authority should at once notify the Department concerned, sending a copy of the notification to the Ministry of Housing and Local Government.

17. Occasionally the authority itself may wish to have available at the inquiry a representative from the Department whose views form part of the authority's case and have been quoted as such in the authority's written statement, even if the appellant or objector has made no request for such a representative to be present, and in these cases arrangements will be made accordingly; but it is hoped that this will seldom prove to be necessary.

18. The views of any Department set out in an authority's written statement should either be quoted verbatim from the Department's official letter or be in terms which have been agreed with the Department.

19. Where a Department has not expressed positive views in a particular case (for example, where it has said, if asked for views, that it does not desire to express any), and the authority cannot therefore quote the Department in support of its decision, no representative from the Department will attend to give evidence at the inquiry.

Procedure after Inquiries

20. If new factual evidence is brought to the Minister's notice from any source after an inquiry, and in his view it may be a material factor in the decision, he will give the parties an opportunity of commenting on it. If the Minister considers it necessary, the inquiry will be reopened.

Costs

21. No change in the existing practice is proposed at present. Any party is free to ask for costs, but the costs of the parties will not normally be awarded except against a party who has acted unreasonably. In due course the Council on Tribunals will be asked to advise whether any change in the practice is called for.

Minister's Decision and Publication of Reports

22. The letter informing the parties of the Minister's decision will in future, in addition to describing the site and summarising the main points put at the inquiry, state the Inspector's findings and his recommendation (if any) and then give the Minister's decision with reasons. If the Minister does not accept the Inspector's recommendation, the letter will say why. The letter will also state that any recipient may obtain a copy of the Inspector's report if a request for it is made within one month of the date of the letter. These copies will not normally include maps and photographs.

23. Orders under Part III of the Housing Act, 1957, are concerned primarily with the question whether individual houses are unfit for human habitation; and statutory provision already exists for objectors who are represented at the inquiry and whose houses are found to be unfit to require the Minister to inform them of the grounds for his decision. The letter conveying the

Minister's decision on an Order under Part III of the Housing Act, 1957, will not, therefore, deal in detail with the unfitness or otherwise of individual properties, but it will contain a statement in general terms of the Inspector's recommendations in this respect, and his recommendation on any other issue which may have been raised, e.g., whether a local authority is justified in seeking compulsory powers of acquisition to ensure clearance and redevelopment, and will state whether or not the Minister accepts these recommendations.

Date of Operation of the New Arrangements

24. The Minister intends that the alterations of practice falling within his responsibility should come into force as from the date of this circular. In particular, the arrangements for publication of reports will apply in respect of any inquiries held from now on, even though the new pre-inquiry procedure will not have been carried out in those cases which reach the inquiry stage in the immediate future. The Minister asks authorities to adjust their procedures, to whatever extent may be necessary, so as to enable them to act on the advice given in this circular with the minimum of delay.

Conclusion

25. The Committee said that three characteristics should mark these administrative procedures: openness, fairness and impartiality. The Government entirely agree and they are confident that local authorities will, too. These objectives cannot be entirely comprised in a set of rules, and authorities are asked to take every opportunity to see that, where the prescribed rules and recommendations do not cover particular circumstances, the proceedings which concern them are carried out openly and fairly. Anyone whose interests are affected by decisions or proposals of an authority and who wishes to exercise his rights to object or to appeal should know in full the case he has to meet.

26. At the same time, in many of the issues with which local authorities are concerned the objector or appellant wants a procedure which need not involve him in heavy expense, which is reasonably informal and which above all will produce a decision quickly. The time taken in reaching decisions (both the authority's initial decision and the Minister's decision on appeal or objection) is already in many cases inconveniently long, and this does much to bring the procedures into discredit. The Minister is anxious that the changes in procedure should not increase the time if that can possibly be avoided. Indeed he wants decisions to be speeded up. He has been making efforts to reduce the time taken in reaching his decisions, and these efforts will continue. He asks local authorities to do the same. However much the existing arrangements can be improved, a case to which objection is raised or which goes to appeal and is the subject of an inquiry is bound to take some time. There are however many cases which are quite straightforward but for one reason or another are not dealt with promptly. The Minister would be grateful if planning authorities could review their arrangements to see whether anything more could be done to enable a quick decision to be given in a straightforward case.

¹The Franks Report refers to "Enquiries." The Government's Bill deals with "Inquiries." The Town and Country Planning Act, 1947 (s. 104) refers to a local "inquiry." So that it looks as if the "i's" have it.

²575 H.C. Deb. 400.

³206 H.L. Deb. 579.

⁴I.e., ss. 12-20 of the Agriculture Act, 1947 and ss. 27-34 of the Agriculture (Scotland) Act, 1948.

⁵Ministry of Housing and Local Government Circular 9/58.

⁶H.L. 46, 1958. Brought from the Lords on 20th May, 1958.

⁷(1953) Ch. 37. This case was followed in *Healey v. Minister of Health* (1954) 2 Q.B. 221.

⁸(1953) 2 Q.B. 18.

⁹*Ibid* at page 41.

¹⁰*Taylor v. National Assistance Board* (1957) 1 All E.R. 183.

¹¹*R. v. Medical Appeal Tribunal, ex parte Gilmore* (1957) 2 W.L.R. 498, c.f. the references to this case by Lord Denning in the Lords' Debate on the Franks Report, 206 H.L. Deb. 546.

¹²*R. v. Medical Appeal Tribunal, ex parte Burpitt* (1957) 2 All E.R. 704.

¹³C.f. *Smith v. East Elloe R.D.C.* (1956) A.C. 736. S. 10 also preserves the efficacy of the ousting clause in s. 26 of the British Nationality Act, 1948, under which the powers of the Secretary of State are not to be "subject to appeal or review in any court."

¹⁴(1957) 1 All E.R. 183.

SCIENTIFIC MANPOWER IN EUROPE

A Comparative Study of Scientific Manpower in the Public Service of Great Britain and Selected European Countries

by

Edward McCrensky, B.A., M.Ed.

This is the first book to describe, compare and evaluate the personnel practices for managing scientists and engineers in Great Britain, France, Germany, and some other major Western European countries. This is the first time any effort has been made to compare the various European personnel systems and the comparison is the more valuable in that references are made to practices in Russia and the United States. The book is written in simple straight-forward language—avoiding jargon and technicalities—and is thus readable by a wide audience including both students and faculty members in universities, laboratory and research administrators in both public and private organizations and government and staff officials concerned with improved concepts and techniques for the management of scientists in public service.

Price 40/- net

Please send for a descriptive leaflet

PERGAMON PRESS

London New York Paris Los Angeles

4 & 5 Fitzroy Square,
London, W.1

122 East 55th Street,
New York 22, N.Y.

24 Rue des Ecoles, Paris V^e

Delegation in Local Government — Recent Developments

By PETER G. RICHARDS

The extent and character of the delegation of functions to County Districts continues to arouse a great deal of interest and passion in County Government.

DISCUSSION on the Local Government Bill which has been before the present session of Parliament concentrated so much on the introduction of the new block grant, and its presumed effects on education, that there is a danger of other aspects of the Bill being over-shadowed. This article is concerned with Part III of the Bill dealing with the delegation of functions by county councils to county districts. Part III is brief, and its contents are less interesting than its omissions.

To explain this statement it is necessary to glance back at some of the recent proposals for the reform of local government structure which form the basis for the present legislation. In 1954 four associations of local authorities, the County Councils Association, the Urban District Councils Association, the Rural District Councils Association and the National Association of Parish Councils issued a joint report on *Local Government Reorganisation*. This document was essentially a defence of the two-tier system of local administration. It suggested that consideration be given to the introduction of the two-tier system over the main industrial conurbations, now studded with independent county boroughs. It advocated further review of county district boundaries and that the duties of the re-formed districts be considerably extended by a broad delegation of county functions, especially to the larger district authorities.¹ The second of the White Papers concerned with local government structure (Cmd. 161) that preceded the Bill adopted the idea of delegation of county functions and chose 60,000 population as a dividing line above which a district might receive a wide range of functions in this way. The Joint Report and the White Paper were broadly agreed in the list of powers thought to be suitable for delegation except that the White Paper excluded civil defence and libraries, the latter because the Minister of Education has established a Committee to enquire into the administration of public library services.

Fate of the White Paper Proposals

Delegable functions as set out in the White Paper can be listed under ten broad headings: local health and welfare services, education, classified roads and bridges, town and country planning, licensing of theatres and cinemas, weights and measures, diseases of animals, licensing of waste food boiling plant, fertilisers and feeding stuffs and food and drugs. It was also proposed to abolish the present delegation of education powers to divisional executives. The White Paper was issued in May, 1957, and provoked fairly

¹For a full discussion of the implications of this section of the Report see my book, *Delegation in Local Government*, Ch. IX.

rapid second thoughts in various quarters.¹ Thus the Local Government Bill introduced to the Commons in the autumn referred only to the first two functions in the list.

On education, the new legislation is silent about Divisional Executives which, therefore, remain undisturbed. Their retention is discussed below in a separate section. The only change now is that non-county boroughs and urban districts above the 60,000 population level—and in special cases below this figure—can become excepted districts. An excepted district for education, although still subject to county supervision, operates on its own and is not linked with other districts as are the authorities covered by Divisional Executives. The qualification for excepted district status under the 1944 Education Act was a population of 60,000 in 1939, but some smaller towns were excepted by reason of special circumstances. It follows that towns now becoming entitled to this position have reached the 60,000 mark during the last two decades or, alternatively, did not claim their right in 1945 so as to facilitate the shaping of convenient Divisional Executive areas. No changes are to be made for the time being in the metropolitan area because the special problems of the London conurbation are receiving attention from a Royal Commission. There appear to be a mere seven authorities immediately entitled to separate delegation, and not all of them may insist on it. Thus the extent of the change in prospect for educational administration is small. However, some districts near the 60,000 mark may be allowed by the Minister of Education to become excepted districts, especially those which are growing fast. Havant and Waterlooville has a strong claim; its latest population return was 57,910 and overspill from Portsmouth is still moving in.

Sixty thousand is also the dividing line above which the delegation of health and welfare powers is automatic for urban authorities. As the metropolitan area is excluded, only twenty districts are assured *prima facie* of these new responsibilities. But the Minister of Health may allow claims from rural districts, and towns below the 60,000 mark. Districts below 60,000 which are already excepted districts for education would seem to have a strong case for gaining health and welfare powers: this applies to Widnes, Wallsend, Lowestoft, Nuneaton, Oldbury and Keighley. County functions thus delegable are those under:

- (i) the National Health Service Act, 1946, except ambulances and the provision of residential accommodation for persons suffering from mental illness and the residential after-care of such persons,²
- (ii) the National Assistance Act, 1948, providing for the welfare of disabled persons,²
- (iii) the Nurseries and Child Minders Regulation Act, 1948,
- (iv) the Lunacy and Mental Treatment Acts, 1890 to 1930, and
- (v) the Mental Deficiency Acts, 1913 to 1938.

¹See *Local Government Organisation*, a document published by the Association of Municipal Corporations in October, 1957, paras. 25-6.

²Exceptionally, and with the consent of the Minister, a local delegation scheme may cover residential accommodation for the mentally afflicted and the provision of residential and temporary accommodation under the National Assistance Act.

Local schemes must prescribe conditions under which these powers are to be exercised, and powers have to be claimed within six months of the Act coming into effect. The Minister may amend a delegation scheme without the consent of the district concerned, but he may not revoke a scheme where a district has a population above 60,000. He may also declare a district to have defaulted in its (lack of) use of delegated powers and make an order for a county to resume such powers on a temporary basis. Ministerial control is unusually extensive: this default clause is novel and does not exist in other statutes authorising delegation of county powers.

What of the fate of the other eight functions mentioned in the White Paper? To quote the Minister, Mr. Brooke, in the second reading debate on the Bill, "There are certainly anomalies and difficulties in the present distribution between counties and districts. . . . However, I cannot pretend that the present position is of such great moment as to justify at this stage thrusting upon a wide range of local authorities a whole set of detailed changes about which we find local authorities themselves are far from certain or content. . . . We are only at the beginning of possibly big changes in areas, changes which may produce a new set of circumstances and a new pattern. It seems better not to have two upheavals, but to see the new pattern first."¹ It follows that the future is uncertain, but the present intentions of the Government, as far as they are known, are set out in the following paragraphs.² These proposals, of course, form no part of the present Bill but, where statutory changes are involved, they may well be incorporated in subsequent legislation.

Classified Roads and Bridges. The population level at which a non-county borough or urban district can claim these powers to be raised from 20,000 to 30,000. Counties are to be entitled to refuse or cancel claiming powers, subject to appeal to the Minister, on the grounds that an authority could not perform these functions efficiently or economically. Authorities below 30,000 still to be allowed to ask the county for these powers, any dispute arising from such a request to be settled by the Minister. Thus the effect of the 30,000 line would be to reverse the initial presumption about the allocation of these duties.

Town and Country Planning. Non-county boroughs and urban districts above 60,000 to have an automatic right to delegated functions under Part III of the 1947 Act relating to consent for development applications. These authorities, together with, in special cases, smaller authorities and rural districts, also to exercise functions under Part II of the 1947 Act relating to the quinquennial review of town maps. It is also proposed that delegated powers be exercised "without strings," i.e., without reference to the county council or its officers. This greater freedom in relation to Part III powers can be effected through administrative arrangements and does not require legislation.

Licensing of Theatres and Cinemas. The proposed automatic delegation to authorities of 60,000 population, and to smaller authorities in appropriate

¹H.C. Deb., Vol. 579, cols. 922-3.

²Local Government Organisation, paras. 34-46.

cases, has been dropped.¹

Weights and Measures Inspection. These powers to be conferred on urban authorities with 60,000 population—and exceptionally, with less.

Diseases of Animals. To be a county function.

Licensing of Waste Food Boiling Plant. To be a district function.

Fertilisers and Feeding Stuffs. To be as for Weights and Measures.

Food and Drugs. Delegation proposals are dropped. Existing position in urban areas is to remain. (Authorities above 40,000 have these powers and also some in the 20,000-40,000 class.) In addition, some rural districts above 20,000 may receive these powers.

Direct conferment of these minor powers now appears to be preferred to delegation. But although confined to major services, education, planning, highways, health and welfare, delegation still has an increasing role in county government. It will extend further if future reviews of county districts produce additional urban authorities of 60,000. A separate question-mark hangs over the London area, but, if the present "freeze" on change in the metropolitan area were lifted, the number of districts automatically entitled to the new delegation of health and welfare services would rise from twenty to fifty-nine.

Great emphasis is now being placed on the principle that delegation should be as unfettered as possible. To quote the Minister's speech on the Third Reading of the Bill: "Certainly it is the intention of the Government that delegation is to be real delegation. It is not to be the sort of delegation that says that the district council can in effect do everything subject to the county council's right to step in at any moment on any point, however small."² Speaking immediately after the Minister, Mr. Chuter Ede, President of the County Councils Association, said that this organisation accepted his criticism of the past actions of some counties in these matters. Suggestions have been made that model schemes should be issued by the Ministries concerned to encourage the spirit of freedom. It is a matter of opinion whether such model schemes would be desirable, but discussions have been taking place on these lines between the Departments concerned and the associations of local authorities.³

The C.C.A. and Libraries

The character and spirit of delegation must depend, above all, on the attitudes of county councils. In consequence, the evidence of the County Councils Association to the Roberts Committee on the public library service is of unusual interest. The C.C.A. has proposed that the library service be entrusted to counties and county boroughs, with provision for automatic delegation to non-county boroughs and urban districts of 75,000, with delegation, at the discretion of a county, down to authorities of 20,000 or

¹The confusing situation in relation to these powers is set out on pp. 133-5 of my book, *Delegation in Local Government*.

²Report of Standing Committee D on the Local Government Bill, col. 1021.

³H.C. Deb., Vol. 588, col. 342.

even less. Once again, delegation is used to soften the loss of powers by second tier authorities. The C.C.A. envisage four limitations on delegated powers :

- (i) Approval of estimates, levying a rate or raising loans,
- (ii) The control of selection and purchase of books,
- (iii) Siting of library buildings, and
- (iv) Appointment of senior staff.

The Association agrees that consultation shall take place with delegatee authorities on all these matters. But why is a town of 75,000—or considerably less—thought to be incapable of appointing a librarian or having some ultimate responsibility for choosing books? Leading strings of this kind promote the frustrations which give delegation a bad name. Elsewhere in their evidence the C.C.A. comment on the difficulty of recruiting library staff of adequate calibre as prospects of advancement are poor due to limited numbers of posts of responsibility. This problem would be accentuated if the librarian of a large non-county borough could not order a book!

The general pattern of developments is bringing into being a new type of local authority, the towns of medium size in the 60,000-100,000 population bracket which are not county boroughs. They are concerned with the great majority of local services, but in the case of the more expensive, powers are delegated from the county level. If these authorities are able to carry out delegated duties in an economic and efficient manner—with a minimum of fetters—why cannot they be given such powers directly? Delegation is not a device that arouses a chorus of approbation. Where it works well, it secures acceptance rather than enthusiasm; where it works ill the results are ill-feeling, frustration and delay. Yet if these duties were allocated directly to the larger second-tier authorities, presumably they would levy their own rates to pay for them. Under delegation, the county must retain overall control of spending, for it has ultimate financial responsibility and levies a county rate to meet the cost. This is the crux of the matter. Direct conferment, with separate rates, would impose heavier financial burdens on the lower assessed, rural parts of the counties. Mr. Chuter Ede has put the case for delegation in this way. "County government, properly administered under the delegation scheme, will ensure that there will be a local equalisation of rates with reasonable local autonomy in dealing with services."¹ It becomes ever more apparent that the growth of delegation has nothing to do with the merits of delegation as an administrative device; it is a compromise that attempts to reconcile medium-size towns to being caught up in the financial net of county councils. Such an analysis helps to explain why the intended delegation of minor and less expensive services has been dropped.

THE REPRIEVE OF DIVISIONAL EXECUTIVES

As noted above the White Paper proposal to terminate Divisional Executives has been shelved. The Executives constitute a different type of delegation to

¹Report of Standing Committee D, col. 1023.

that in force for other county functions and are really glorified area sub-committees of county education committees. They are composed of representatives from the county and a number of adjacent district councils. Their existence is protected by a formal scheme that cannot be revoked without Ministerial consent and they have rather limited powers of decision. Executives provide a focus for local opinion and introduce a degree of decentralisation into the educational administration of large counties.

A campaign to reduce or terminate divisional administration has continued intermittently for some years. As early as 1949, in Circular 210, the Ministry of Education listed divisional administration among items that might offer scope for economies. Then followed individual attempts by counties to reduce the number of Executives; these were sternly resisted by local interests and have been largely unsuccessful. In the Commons, Conservative Members have suggested that the Executives were wasteful: this view has been echoed by *The Times* and the *Economist*. The joint report *Local Government Reorganisation* issued in 1954 by the County Councils Association, the Urban District Councils Association, the Rural District Councils Association and the National Association of Parish Councils recommended, by implication, the abolition of Divisional Executives. The report proposed that education functions be delegated directly to the larger districts. This meant that the excepted district type of organisation would remain, but that the Executives, containing representatives from a group of districts, would be ended.

Opponents of the Executives have centred attention on the issue of cost: it is urged that the administrative superstructure of education is swollen to an unnecessary degree. But the additional expense incurred cannot be estimated with any pretence to accuracy. Naturally, the Executives spend money on administration—yet how much of it would still be spent were they to be closed down? Mr. J. L. Smith has shown in an article in this journal¹ that there are but minor variations in administrative expenditure per head on education as between counties and county boroughs and as between counties with, and without, divisional administration. Similar evidence, prepared by Mr. Smith and based on official costing statistics, was presented by the National Association of Divisional Executives for Education to the Ministry in October 1957.² In the circumstances the earlier statement by Sir Edward Boyle (the Parliamentary Secretary) that divisional administration consumes an extra £1 million a year seems a little wild.³ Were it accurate, it would follow that counties, once denuded of Executives, could administer education more cheaply than compact county boroughs.

The shortcomings of the Executives stem, in fact, not from their cost but from their constitution. They are *ad hoc* bodies, and not directly elected. Their members must carry out delegated functions under county supervision and through the staff of the county council. The members also represent neighbouring areas that may have conflicting interests. All these factors damage the efficacy of divisional administration. The Executives stand apart from the tradition of modern local government, dominated by the

¹Vol. 29, pp. 231-6.

²Report of N.A.D.E.E. Series 1957-58, pp. 15-20.

³H.C. Deb., written answer, August 2nd, 1957.

multi-purpose elected authority. Joint boards and special purpose authorities have a record that is often weak and unhappy: specialisation and the diffusion of responsibility secure that they fail to make an impact on the public mind—unless it be unfavourable. These limitations do not apply with the same force to the excepted districts. Here, in effect, delegated powers are carried out by a non-county borough (or urban district) council through its education committee, which also includes some county representatives. Administrative work is undertaken in the Town Hall and local residents tend to think of their borough as an education authority. Delegation to an existing multi-purpose unit of local government suffers a variety of frustrations, but it is a comprehensible system that produces undoubted benefits.

No satisfactory explanation of the retention of Divisional Executives has been made by the Government. The Minister linked it with the contrary decision not to proceed with the proposed delegation and reallocation of other county services at this stage,¹ so the Executives may come in for further consideration later. On this view the decision can be interpreted as a desire to minimise structural change before the Local Government Commissions get to work and as some compensation to districts for not going ahead with other delegation plans. The Minister may also have been impressed with the evidence that divisional administration was not unduly costly. Finally, there may have been a “political” element in the decision, a desire not to add to educational and other objections to the Bill: one Conservative M.P., Mr. Jennings, certainly worked hard for the Executives.² Through their Association the Executives are well organised to defend themselves and many of them are in the most sensitive and marginal parliamentary constituencies. But it is difficult to believe that votes are to be lost on a topic like educational administration.

The arguments for and against the Executives are finely balanced; usually they are heavily over-stated. Probably the best solution is for their future to be decided on a county, and not on a national, basis.

¹H.C. Deb., Vol. 579, col. 923.

²It was reported in *The Times*, March 17th, 1958, that Mr. Jennings had refused an offer of £150 from the National Association of Divisional Executives “to cover legitimate expenses.”

new 12th edition

Outlines of

CENTRAL GOVERNMENT

Including the judicial system of England

John J. Clarke
MA., F.S.S.

A familiar companion to thousands of students and administrators, this renowned text-book, has now been produced in a twelfth edition. Mr. Clarke has completely revised the text to conform with latest legislation and current law, and the book has been reset, is larger and even more comprehensive. Undoubtedly one of the finest reference works and text-books on Central Government, it is a concise and eloquent necessity for all people in public administration. There are chapters on social and political theory, on the Constitution, the Machinery of government, the internal structure of the government, and the administration of justice. And final chapters on Imperial and foreign relations go to make the whole book as complete as possible. 25/- net

"Still remains the most complete statement, within its compass, of the operations which constitute the mechanism of government in this country. (This book) ought to have a good sale wherever an approach is being made towards a study of the constitution. . . ."
Municipal Journal

PITMAN Parker Street WC2

**'The "science" of
administration
will never be the
same again'**

Birmingham Post

Parkinson's Law 7th printing

Illustrated by
OSBERT LANCASTER

'No departments could ever run as Parkinson describes them and yet every painful piece of lunacy to which he refers is based on acute observation of things which actually do happen. He has thrown a thunderflash into the management parade.'

The Observer

'A devilish book. No businessman should let it fall into the hands of his staff.'

Financial Times

'He is required reading for all administrators.'

Birmingham Post

'In this hilarious and very sound discussion of how people are selected for jobs and how they behave when they are selected, Professor Parkinson has written easily the best treatise on management we have come across.'

The Scotsman

12s 6d net

JOHN MURRAY

QUARTERLY NOTES

Councils and Delegations to Committees —A Brighton Report

ON the 24th October, 1957, the Brighton Council passed the following motion :—

“That in order that the Council may have a proper opportunity of settling and directing policy the Legal and Parliamentary Committee do examine the Standing Orders and procedure of the Council with reference to the debating of matters dealt with by Committees under delegated powers and do report thereon together with their recommendations with respect to such rules of debate and also upon the adequacy of the information furnished to the Council concerning decisions taken under delegated powers.”

The Legal and Parliamentary Committee discussed the resolution and referred it to the Town Clerk (Mr. W. O. Dodd) for report, asking him in particular to deal with :—

1. The length of the Council Agenda ;
2. The duration of the Council Meetings ;
3. A critical examination of the Standing Orders and procedures of selected local authorities.

The Town Clerk reported on the 28th February, 1958. The following extracts from his report will interest members of other Local Authorities.

Length of Council Agenda

Any Council Agenda is as long or as short as the Council may require. If a very short agenda is desired, then there must be very full delegation to committees and no reports on action taken, as in Birmingham. Conversely, if a lengthy agenda is required, then there should be little or no delegation and all items of business submitted, as in Leeds.

One thousand and ten items were counted on the specimen agenda furnished by the Leeds Town Clerk ; in the same month (June of last year) there were 120 items on the Brighton Council Agenda, of which 24 were reports on delegated matters.

Wolverhampton, where the delegation is not dissimilar from that operating in Brighton, had only 41 items on the agenda, of which two were matters reported for information.

It will thus be seen that there are very wide variations in the amount of power that is delegated and in the number of items reported to the Council for information or confirmation. In no other Authority whose agenda has been studied is so much information supplied on each individual item as is the case here in Brighton. In few cases do the agendas contain as much print as in the Brighton agenda ; the Leeds agenda of over 1,000 items

contained 143 pages; Brighton for the same month used 156 pages for 120 items. I would unhesitatingly give it as my opinion that on important policy matters the information furnished to the Council is very much more than is normally supplied elsewhere, and that by and large any additional information would either be of relatively unimportant detail or else argument.

Duration of Council Meetings

Council Meetings are as long or as short as the Council members choose to make them. The complaint that meetings in Brighton take too long is raised from time to time. The other day I turned up the minute book of the Commissioners in the 1820's. The Commissioners met at the Old Ship Tavern on the 9th October, 1822, adjourned until the 16th October, met again at the Old Ship on the 18th, adjourned until the 23rd. According to the record no business appears to have been done on the 16th or the 18th October, but on the 23rd when they met at the Town Hall a number of items of business were dealt with; but they adjourned until the 30th, when a considerable amount of business was done at the Old Ship Tavern and it would appear that they then completed the month's business.

A hundred years later, in 1932, the Council called upon your Committee to consider the protracted Council meetings and to report with your recommendations. Mr. Rothwell [the then Town Clerk] reported to your Committee that the only effective method of reducing the time occupied at Council meetings is by delegating power to act to committees. The Council at this time rejected a proposal of your Committee for further and uniform delegation of powers to committees.

In 1935, again at the direction of the Council, your Committee reviewed the agenda and the Council procedure, made a number of minor modifications deleting unimportant matters from the Council agenda, and introduced a call-over system which, incidentally, was rescinded in two months. The following year an 8 o'clock adjournment rule was introduced, without appreciably affecting the total time occupied on each agenda.

Delegations to Committees

In 1937 the Council instituted the system of delegation now in operation, but required the committees to report matters as formerly, the only differences being that these matters dealt with under delegated powers were now printed in italics and amendments could no longer be moved. This latter is not the result of any particular Standing Order but rather logic and common sense. Items that are submitted for confirmation are for the most part recommendations as to what shall be done at some time in the future. It is therefore open to the Council to approve, reject or amend. But when a report is made of business transacted under delegated powers, the Council is being informed of what has been done and therefore the motion is "that the report be received."

The Council have always felt that there must be some means open to the Council to express dissent, i.e., by voting against the receipt of the report, so that the committee may know the Council's opinion and be guided in its future action. Some Councils hold the view that there should be no debate

QUARTERLY NOTES

and that if a committee has departed from the wishes of the Council the only remedy is the withdrawal of delegated powers or a change in membership of the committee. If a Council were to debate and amend these reports as they do matters submitted for approval it would make nonsense of the delegated powers and no action could safely be taken thereon until after the Council meeting. If the Council are minded to cut out these items from the agenda and therefore prevent debate thereon they should seriously consider the matter of safeguards.

As to Safeguards

1. With the possible exception of transport matters, which are governed by the 1938 Transport Act, matters of major policy must go to the Council for approval by reason of the Financial Regulations, the Standing Orders with respect to contracts or the exceptions from delegated powers; these exceptions are :—

- (a) to incur expenditure not in the estimates;
- (b) buy or sell land or rent or let land where the value exceeds £200 per annum, and
- (c) the alteration of establishment.

2. A member can put down a written question.

3. A member dissatisfied with a Committee decision can ask the Committee to put the matter before the Council for approval. This request is often acceded to, for if it is not the member can put down a notice of motion and thus gain the advantage in debate of moving the motion.

There is, however, nothing in law to prevent an alteration of Financial Regulations and Standing Orders and most of these exceptions to delegated powers being swept away, for the only statutory exception is the power of levying a rate or of borrowing money. If delegation were to be extended or if reports were no longer to be submitted monthly there is no doubt the agenda would be very much shorter and there would be so much the less business to debate. The Council have not displayed such a measure of confidence in committees as would justify your Committee recommending any radical extension of committee powers. The Committee might consider a longer period between meetings. The Council having previously rejected both quarterly meetings and the six weeks cycle I will not deal with this further excepting to say that either greater delegation or greater delay must be accepted.

Experience of other Authorities

An examination of the Standing Orders and agendas of the following County Boroughs—

Barnsley	Rotherham
Birmingham	Sheffield
Coventry	Warrington
Kingston upon Hull	West Bromwich
Leeds	Wolverhampton
Northampton	

does not disclose any relation whatsoever between the duration of the Council

meetings and either the length of the agenda or the Standing Orders with respect to debate or with respect to delegation.

In Leeds, where there is no delegation and the agenda contained over a thousand items, the average length of the Council meeting is $1\frac{3}{4}$ hours.

In Sheffield, where there is virtually no delegation, the Council lasts between 4 and 5 hours, including a tea break of half an hour.

In Kingston upon Hull the time occupied is some $3\frac{1}{4}$ hours (including the tea break). Here delegation is limited to matters of urgency.

On the other hand, Birmingham, which has quite extensive delegation and where the committees do not report on action taken under delegated powers, the Council lasts an average of 5 to 6 hours, including a half-hour tea break.

In Barnsley, Northampton and Wolverhampton, delegation is very similar to that in Brighton and the average length of the meetings is respectively, $\frac{3}{4}$ hour, $1\frac{1}{2}$ and $3\frac{1}{2}$ hours.

Certain towns take a pride in the speedy dispatch of Council business, but the two principal factors in reducing the length of debates in the opinion of my colleagues in these towns are :

- (a) the Council's confidence in the committees having come to the right conclusions, and
- (b) party political meetings before the Council meeting which discipline debate.

The one thing upon which my colleagues appear to be in agreement is that Standing Orders are not effective in themselves in shortening debate. Standing Orders can provide for five minutes or other time limit to speeches and for closure of debate, but if the Council grant extensions and do not vote in favour of a closure motion, then Standing Orders are ineffective. I am unable to suggest any further standing order or amendment of our existing Standing Orders as to debate which would result in curtailing debate and meet with the approval of the Council. In a word, the existing Standing Orders provide a code which the Council can operate as they wish from time to time to govern the length of their proceedings. In this regard the Committee might well examine the real value of the five-minute rule in its present form. As it is exceedingly rare for an extension of time not to be granted, the Committee may consider that there is something lost to debate by the interruption of the speaker at five minutes. It could be that there would be less waste of time and less interruption of debate, and possibly no longer speeches if after the five-minute light a member was allowed to continue until a motion is carried that he be not further heard.

The Motion

The motion is in two parts, the second being the adequacy of the information furnished to the Council concerning the decisions taken under delegated powers. I am very willing to supply the Council with as much information as they require. Earlier in this report I have stated that more information is provided to the Brighton Council on each individual item than is the general rule. If the information is not considered adequate I should be glad if the Committee and the Council will indicate to me in what directions they wish the reports expanded.

With regard to the other part of the Motion, I have already indicated that where powers are delegated to committees, the resolutions of the committees constitute in law the resolutions of the Council, and in reporting monthly the committees are merely giving an account of their stewardship. It is quite inconsistent with delegated powers that the Council should amend a decision taken by a committee. It is recognised that individual members may not like particular decisions and may wish to see the decision amended or revoked, but I know of no half-way house. Either the Council wish to decide everything themselves, in which case there is no delegation, or else they are prepared to appoint responsible committees and give them a certain amount of responsibility in acting on their own, i.e., by means of delegating power to them. If the Council as a whole consider it necessary that they shall settle and direct policy to a greater extent than is now done, that is to say in much greater detail and with respect to more trivial matters, then the delegation should be reduced accordingly. But I would respectfully suggest that the result would be a still greater burdening of the agenda with detail and either the time devoted to debate greatly extended or the time devoted to settling important policy reduced.

Membership of the United Kingdom Atomic Energy Authority

WHEN the United Kingdom Atomic Energy Authority was set up in 1954 the Atomic Energy Authority Act laid down that the Authority itself "shall consist of a Chairman and not less than seven nor more than ten other members." Three of the members were "to be persons who have a wide experience of, and shown capacity in dealing with, problems associated with atomic energy." One of the members must have had "wide experience of and shown capacity in, administration and finance" and another must have a special knowledge of labour problems and the handling of workers.

The obvious candidates for the first three appointments were the Heads of the three main elements of the old Department of Atomic Energy—Sir John Cockroft (Research Group), Sir William Penney (Weapons Group) and Sir Christopher Hinton (Industrial Group). At that time, however, it was not possible to relieve the three Heads of their executive control of the Authority's Establishments. Since 1954 they have as Members of the Authority combined these duties with responsibility for the formulation of policy in their special fields of research, weapons, production and engineering and the policies of the Authority in general.

This arrangement had always been accepted as an interim measure imposing heavy burdens on the Heads of the three Groups. It had always been intended to reduce these burdens by some re-allocation of the Authority's senior staff and these efforts were stimulated by the Fleck Report on the organisation of the Authority, following on the Windscale incident, and the appointment of Sir Christopher Hinton as Chairman of the Central Electricity Generation Board early in 1958.

Sir John Cockroft has now been relieved of responsibility for control of the Research Group, leaving him free as Member for Scientific Research to concentrate on the general and research policies of the Atomic Energy Authority. He has been succeeded as Director of the Research Group by Dr. B. F. J. Schonland, formerly Deputy Director. Sir William Cooke, formerly Deputy Director of the Atomic Weapons Research Establishment, has been appointed as Member for Production and Engineering in succession to Sir Christopher Hinton. Sir Leonard Owen, formerly Deputy Managing Director of the Industrial Group, had already been appointed in September 1957 to succeed Sir Christopher Hinton in his other duties as Managing Director of the Industrial Group.

Sir William Penney remains the Member for Weapons Research and Development, and pending the appointment of a new Director of the Weapons Group he continues to hold that post as well.

The remaining full-time Members of the Authority, Sir Edwin Plowden (Chairman), Sir Donald Perrott (Member for Finance and Administration) and Mr. W. Strath (Member for External Relations and Commercial Policy) are unchanged. Sir Ivan Stedeford, Sir W. Rowland Smith and Mr. C. E. Kearton remain as part-time Members of the Authority. The vacancy created by the death of Lord Cherwell has been filled by Sir James Chadwick and Lord Citrine replaced Sir Luke Fawcett as the part-time Member experienced in Labour Relations when the latter's term of office expired.

Group Organisation and Inter-Group Collaboration

The Fleck Report on "The Organisation of Certain Parts of the U.K. Atomic Energy Authority" (Command Paper 338, Dec. 1957) paid particular attention to the organisation of the Industrial Group, and laid down "Some General Principles of Organisation for a Large Technological Production Group." In brief, these principles commended a "line and staff organisation" as "a sound one for an organisation of the kind under review," with the Chief Officer as "Chairman of its controlling body which should have the character of a Board where responsibility for all the activities of the organisation is collectively shared."

The Chief Officer of the headquarters organisation "should be chosen as a good leader for the whole group" and, together with two deputies, he should be relieved by a supporting organisation of most routine executive duties. All three men should be "chosen not only for their technical attainments but also for their ability to achieve a cordial and friendly relationship." "Below Board level executive responsibility would be carried on an individual basis." Individual plants should be in the charge of technologist Works Managers responsible for all operations reporting through Works General Managers to appropriate Directors on the Board.

The Report also expressed the view "that there has not been enough liaison between the Industrial Group on the one hand and Harwell and Aldermaston on the other." It proposed that the governing body of the Industrial Group should include a member specifically charged to ensure that this liaison was effective and that it would "benefit by having a few visiting members to add to the store of collective wisdom from the Weapons and Research Groups and also from the London Office of the Authority."

In a letter to the Prime Minister in January 1958 Sir Edwin Plowden said that "the Authority endorse, and will follow the principles of organisation which the (Fleck) Committee lay down. They also accept in general the scheme of organisation recommended for the Industrial Group and expect in large measure and over a period of time to implement the Committee's recommendations."

The recent changes in the composition of the Harwell Council may be taken as an example of the efforts to improve liaison between the Groups. The Council, which was responsible for formulating the internal policies of the Research Group, has been replaced by a Board of Management for the Group.

The Board, which consists of the Heads of the main scientific, engineering and administrative Divisions in the Group, with the Director in the Chair, differs from the old in including representatives of the Authority's London Office and of each of the other two Groups. This inter-linking of Board memberships is by no means unusual in industrial and commercial firms, but it is interesting to see it applied in a public corporation as a means of supplying ideas and information and ensuring that the activities of autonomous Groups are kept in phase.

K. H. B. FRERE

The Select Committee and the National Coal Board

The first report* of the new Select Committee on Nationalised Industries (Reports and Accounts) whetted our appetite for more. Would the Committee continue its friendly approach to the Boards of these industries? What further light would subsequent reports throw on the way the Committee intended to interpret its terms of reference? Finally, what was to be the *dénouement* of the dark hints of ministerial interference in the fixing of coal prices?

The second report is concerned almost entirely with the National Coal Board. In the very first words of the report "Your Committee has received more information about the National Coal Board than the House has ever yet had on the workings of a nationalised industry." This is undoubtedly true. The Committee, however, wisely did not attempt to deal with all aspects of the Board's activities nor was it looking for the odd thing here and there to criticise. The Committee decided to concentrate on certain major topics: investment, manpower, prices and the balance between the amount of small and large coal. On all these matters the excellent memoranda submitted by the N.C.B. and the oral examination of its representatives provide a great deal of new light for which the economist as well as the student of public affairs must be grateful. Judged by the evidence and the comments of the Committee in its report the Committee were not, as some people feared they might be, looking for political ammunition. There is a hint of this here and there but on the whole the report is an excellent example of the kind of work back-benchers can do if given the chance.

*For a review of the first report see the *Spring Issue*, pp. 87-92.

The representatives of the National Coal Board obviously did not regard themselves as prisoners in the dock. They saw the Committee's interest as an opportunity to explain their problems. The Committee pay tribute to the Board by saying "This investigation might not have been so informative, and would not have proved so interesting, if it had not been for the vigorous way in which the Chairman and Deputy Chairman of the National Coal Board gave their evidence." The report goes on to say that one of the Board's representatives said that it was "desperately important . . . that we should have the opportunity of expressing our point of view" . . . and the Committee add "this they certainly succeeded in doing, and your Committee, for their part, are grateful for their co-operation. . . ."

As regards the scope of the Committee's work the report has this to say: "This function [of the Committee] is to acquaint the House with the activities and problems of the nationalised industries, to question those industries on the matters about which Members are most perplexed, and to report to the House with such comments as are appropriate. Your Committee do not refrain from criticism when they think that, on the evidence, it is called for; but they have tried not to become involved as critics with the day-to-day administration of the Board on the one hand, and with matters of Government policy on the other." The character of this report and the kind of subject dealt with are clear evidence that the Committee have found a very useful function to perform which could not be performed either by Parliament itself or by Ministers. So much for the early fears of the opponents of a Committee of this kind, unless, of course, they feared that the public would get to know too much. A succession of these reports will reveal a good deal about the working not only of the Boards but also of Ministers and Departments.

The first report left off at a most exciting moment rather like the old type blood and thunder serial. Mr. Latham was being asked questions about the manner in which the Ministry of Power had exercised its control of prices under the so-called "Gentleman's Agreement." Was it for him to answer or should the Ministry do this? The Committee asked for a statement of how each of the Board's proposals for such changes had been dealt with by the Minister. There were hints of delay. A Labour Member asked a question which implied that the Minister had held up a price increase for several months until after the election of 1955 had taken place.

The memorandum submitted by the National Coal Board showed ten applications to the Minister for a price increase. One had been refused and four approved at a lower level of increase. As regards 1955 the schedule showed that the Board commenced to discuss a possible price increase towards the end of 1954 and in February 1955 crystallised a proposal for increases averaging 11 per cent. to come into operation in March. Ultimately, the Minister granted an increase of 18 per cent. which came into operation on the 18th July (the General Election took place in May, 1955). When asked by Mr. Blyton about the delay in this increase Sir John Maud, Permanent Secretary of the Ministry of Power, said "It was the biggest increase which had been applied for in my time, and it does not surprise me that it took a long time for the Minister to reach a final view on it" (Q.323).

It was also pointed out that the Board had been reconstituted in February, 1955, and, therefore, there may have been a wish to give the new Board time to take a fresh look. During the period March-July the Board lost about £25-30 million. Apparently much, if not all, of this was made up by the extra 7 per cent. allowed over the Board's original proposal for an 11 per cent. increase during the remainder of the financial year.

The Committee did not like the informal basis of the Gentleman's Agreement whereby the Board had agreed not to raise coal prices without the consent of the Minister. They thought the Minister's responsibility for prices should be clearly and statutorily defined and that he should have statutory power to give the Board specific directions about prices. (The evidence of Sir John Maud had shown that the Ministry were very doubtful whether the Minister's power to issue general directions could be used to deal with specific prices.) Apparently, however, in the view of the Committee the new statutory power should be used only when the Board and the Minister disagreed: apparently not all price changes would require "sanction" by a specific direction, for the Committee say "the Board should consult the Minister of Power as to the public interest but, having done so, should take full responsibility for their price determinations."

Finally, three general points which emerge from this report. First, the Committee make several suggestions about information to be included in future Annual Reports of the Board, e.g., that in future the Reports should contain a general comparison of the results the Board has achieved since 1955 with the estimates made in *Investing in Coal*, the Board's reconstruction and investment programme published in 1956.

Second, the Committee say they are conscious of the absence of any yardstick whereby they can judge the performance of the Board. They tried some comparisons of before and after nationalisation but often found the circumstances had changed so much in the meanwhile that the comparisons were of doubtful value. In the end they made no effort to establish any criteria of efficiency or performance. Apparently the Committee considered the possibility of obtaining information about the progress and conditions in coal industries in other countries but came to the conclusion that to do so would take them far beyond their proper function.

Third, the Committee comment on the character of their work in the light of their examination of the National Coal Board. At first, they say, the witnesses from the Board "appeared to be unduly on the defensive, but in later sittings a better understanding developed." The Committee consider that "the substantial amount of time spent in giving evidence and preparing memoranda will prove of value to the Board, and that this kind of enquiry is not prejudicial to the good administration and direction of the affairs of nationalised industries." As this is their first major inquiry, however, the Committee feel it is too early to report on whether their work would be more effective with the use of special staff, or different terms of reference or of different powers.

D. N. CHESTER

The Indian School of Public Administration

The Indian Institute of Public Administration was founded in March, 1954, Mr. Nehru, the Prime Minister, doing it the honour of becoming its first President. Among its activities is a School of Public Administration.

THE Indian School of Public Administration is primarily intended to provide higher education in the field of Public Administration (including Economic Administration and Social Administration); the course is intended for those who propose to go into the public services by competition (or otherwise), or into university teaching or to enter public life. The course is of two-years duration for graduates from any faculty of a university, and of one year for those who hold a Master's degree. At the successful completion of the course they will be awarded the Diploma in Public Administration of the Indian School of Public Administration. Provision also exists for admitting to the course a few persons employed in the service of the Government who may not have the minimum qualifications for admission mentioned above, but are otherwise suitable for admission. There will be approximately 50 students in each of the two years.

The School will also provide short-term courses for those who are actually employed in the public services or in university teaching as well as to suitable persons from other fields. There is provision for about 50 persons of this category at any time in the School.

The Institute, the School, and the Library common to both, will be located in the same building, and adjoining it will be the hostel, with accommodation for 150 students and officers. Both the buildings are in the process of construction and will be available for occupation in the second half of 1958.

The staff of the School will consist of full-time professors and assistant professors of the School, part-time teachers from Government or elsewhere, as well as Visiting Professors from India and abroad.

The Diploma course is scheduled to begin in July, 1958.

Each of the two academic years is to consist of three terms, each of three months duration, with a recess of one week at the end of each term, a mid-session vacation of one month, and a two months summer vacation following the third term.

The first-year courses will be from 10 to 1, and the second-year courses will be from 4 to 7. This will enable the students of the second-year course (who hold Masters' degrees) to take in the morning the courses required of them from the first-year syllabus; this also will enable officers of Government to teach courses for the second-year class in the evening.

Instruction will include (1) lectures, (2) tutorial essays, (3) research papers written for seminars, (4) dissertations, and (5) attachment to one or two offices, followed by reports. In the second year of studies, seminars will take the place of optional subjects offered in the universities. Ordinarily two seminars will run concurrently each term and there will be six such seminars a year. Every student will be required to take two of these seminars. It will be permissible for a student to take only one seminar if he chooses

QUARTERLY NOTES

to write a dissertation in place of one seminar. Attachment will ordinarily be for a period of two months in all and in the vacations ; it may be to two different types of governmental units.

The first year courses for the Diploma are as follows :

Political Science

1. Political Theory and History of Political Thought (1st term)
2. Comparative Government (2nd term)
3. Indian Constitution (3rd term)

Public Administration (2 units)

1. Principles of Public Administration (1st term)
2. Comparative Public Administration (2nd term)
3. Indian Public Administration (3rd term)

Economics

1. Economic Theory and History of Economic Thought (1st term)
2. Economic Systems and Institutions (2nd term)
3. Indian Economic Problems (3rd term).

Sociology

1. Principles of Sociology and History of Sociological Thought (1st term)
2. Social Systems and Institutions (2nd term)
3. Indian Social Institutions (3rd term)

In addition, there will be a course in the first two terms on Modern History from 1800, and in the third term on research methods and report writing. The subjects taught in the first year will be at the B.A.(Hons.) level.

The second year courses are :

Public Administration

1. Organisation and Management (1st term)
2. Personnel Administration (2nd term)
3. Administrative Law and Regulation (3rd term)

Economic Administration

1. Financial Administration (1st term)
2. Government and the Economic Order (2nd term)
3. Administration of Public Enterprises (3rd term)

Social Administration

1. The State and Social Services (1st term)
2. Social Security Administration (2nd term)
3. Labour Welfare Administration (3rd term).

SEMINARS (one or two to be chosen).

Subjects for seminars will be announced from year to year. They will deal with problems within single courses or involving more than one course. The following is an illustrative list : Policy Formulation ; Planning ; Regional Administration ; International Administration ; Administrative Problems of Federalism ; Public Purchasing ; Public Accounting and Audit ; Rural Administration ; Urban Administration ; Administrative Problems of Particular Departments ; and Natural Resources Administration.

Association of Finnish Rural Municipalities

SINCE 1945 the building activities of the Finnish Rural Local Authorities have expanded rapidly. Social legislation, the sudden influx of refugees and an increasing birth-rate have all contributed to overstrain the limited capacity of their building organisation. Because of the small size of these Rural Authorities they cannot, in general, employ technical staff of the number and calibre needed to build schools, welfare homes, hospitals, libraries, and similar civic buildings; nor was the Association of Rural Municipalities able at that time to offer the necessary expert advice and active help.

This situation led to the foundation in 1949 of the Central Building Office of the Countryside, set up as the result of negotiations between the Association of Rural Municipalities and the Central Agricultural Association, with a basic capital of 500,000 marks (about £550). Two years later it was found necessary, in order to support an adequate establishment for the tasks involved, to form a limited company with a share capital of one million marks; and in 1954 the Finnish Savings Bank Union, in preference to setting up a building organisation of its own, joined the Office as one of the principal shareholders. At the beginning of the following year the share capital was fixed at a sum of 1,500,000 marks and the constituent 150 shares redistributed between the Association of Rural Municipalities (76 shares), the Central Agricultural Association (50 shares), and the Finnish Savings Bank Union (24 shares). A Board was set up comprising a Chairman, six regular Members and two Vice-Members.

The services provided by the Central Building Office can be divided into two main groups:

- (a) building activities, including the planning, design and construction of new buildings;
- (b) advisory and training services.

—(a) Building Activities

These are the responsibility of the Planning Department which is composed of a strong team of architects, engineers and other technical officers. The work of the Department covers a wide field, ranging from technical advice on a single aspect of building, e.g., lighting, heating or sanitary fittings, to the planning and execution of a project in its entirety. The Office may produce plans for the use of others or carry out the work themselves, either *in toto* or in collaboration with a private architect. Their schemes cover a wide variety of buildings, including different types of schools, hospitals, orphanages, welfare homes, office blocks, savings banks, housing, etc. By the end of 1957 they had drawn up 751 individual schemes.

The Office has since its inception produced a selection of "type plans" for small primary schools with only two or three teachers. These are comprehensive and cover not only design and layout but also details of water supply, plumbing, electrical engineering, heating appliances, interior decoration, and so on. They are continually revised to comply with ministerial requirements and to take account of improvements in building materials and techniques. The Office has already produced 18 different series of type plans

since its inception. It is claimed that the resulting schemes are not only of a high standard functionally and structurally but are moreover within the means of the smallest authority. Between 1949 and 1957, 445 primary schools were built by this method. For larger schools with more complex kinds of building, type plans have not been attempted.

The aim of the Office is to create a synthesis between the different branches of planning, so that a study of function from the user point of view is combined with research into the most economic and up-to-date use of space and materials. Officers gain experience over a wide field and are able to put into practice the latest developments in building technique. Co-operation with the client is considered of prime importance, and technical representatives of the Office travel widely, not only to carry out projects themselves but also to give advice and guidance, where this is needed, to clients, architects and contractors.

—(b) *Advisory and Training Services*

The advisory and training services of the Office fall under three heads.

The Water Supply Section of the Office, in operation since the beginning of 1956, has been found to be most valuable. It gives advice on all questions relating to water supply lines, drainage and sewerage, and where necessary carries out chemical and bacteriological analysis of water samples. A geologist specialising in water levels has recently joined the staff. The Office also provides a service of surveying and soil investigation which has proved helpful for the laying of pipe lines, the construction of roads, playing fields, etc.

In order to cover every aspect of building and to offer a complete service to its clients, the Office gives legal and administrative advice, including the drawing-up and carrying out of contracts. It protects the inexperienced local authority and enables work to be done economically and efficiently.

Finally, the Office runs annual courses of lectures on the technical, administrative and economic aspects of building. For these it draws on members of its own staff and on outside lecturers. In addition short courses are held in different parts of the country for the benefit of local authority administrators and technicians.

Staff

The main office is in Helsinki but small branch offices have already been established at Rovaniemi and at Kuopio, and it is hoped that others will follow. At present officers have to travel widely and last year more than 1,000 visits were made to various parts of the country.

The Company is administered by a Board consisting of a Chairman, 6 regular Members and 2 Vice-Members. There are three Directors, Executive, Technical and Administrative, and the Office itself is divided into three departments :

- (i) The Planning Department includes 26 architects, 5 specialists in interior decoration, 5 civil, 5 mechanical and 3 electrical engineers ;
- (ii) The Water Service and Soil Mechanics Department with 12 engineers and draftsmen ;
- (iii) The Administrative Department comprising the secretariat and legal section ;

There are also outstations at Rovaniemi and Kuopio with 1 architect and 10 engineers and draftsmen.

The staff at present totals 91. Of these, 72 are technicians, half of whom have been trained at the Finland Institute of Technology or other universities.

Finance

The foundation of the Company has already been described. Because of the rapid expansion of its activities, the share capital is to be increased this year to nine million Finnmarks (about £10,000).

The Company does not receive any grant from the State or the municipalities; nor is there any initial membership fee in order to benefit from the services of the Company. Its income is derived exclusively from fees which are calculated to cover the services provided, thus enabling the Company to be fully self-supporting. The turnover in 1957 was in the region of 130 million Finnmarks (about £145,000) and this year is expected to total about 180 million Finnmarks (about £200,000).

Any profit accruing is not distributed in the form of dividends, since this is prohibited by the articles of association, but is used to increase the efficiency of the Company by supplementary staff training and similar means.

The population of Finland is 4.3 million. The Central Building Office of the Countryside serves 482 Rural Local Authorities with an average population of 6,000, comprising between them well over half the total population. The 69 cities and towns are members of the Union of Finnish Towns. This has a small technical department which offers advice and guidance on building matters, but the cities and towns have in general their own architectural departments or else call upon the services of private architects and engineers. The Rural Local Authorities are naturally unable to provide a comparable service individually and the office fulfils a very real need. These authorities can turn to it for advice on technical, legal or administrative problems, for works of maintenance or adaptation, or for the carrying out in its entirety of a major building project.

Letter to the Editor

THE PRIESTLEY COMMISSION AND AFTERWARDS

SIR,—It seems to me that the article in the Summer 1958 issue of the *Journal* on "The Priestley Commission and Afterwards" understates a good number of things, and tends to miss the importance of certain others, or perhaps I should say misses an importance as seen by Staff Associations.

There is the statement on page 174 that the reference to comparable work in the Priestley formula is a great improvement on the Tomlin formula of broad general comparisons. I very much doubt it. It ignores the very considerable administrative improvements that were made partly in the Reorganisation Report of 1920, and partly in the reorganisation of the Professional Scientific and Technical Classes in 1946 where there were aggregated into certain broad Civil Service classes what had been previously a very considerable number of separate departmental grades and classes. For example, is the Clerical Officer class something for which there is a straight-forward comparable piece of organisation outside the Civil Service.

The answer clearly is "No." The same thing is true and more clearly true where one is dealing with the Works Group of Professional classes, or the linked Departmental Technical classes. The logic of the Priestley recommendation would be to break up the classes into their original parts. There must be very few people in the Civil Service who would think that this was an improvement.

On page 175 there is a reference to the Staff Side accepting as a valid and valuable principle the Priestley conception of fair comparison. It mentions in passing that there were reservations by the Staff Side, but obviously does not think that they are sufficiently important to be quoted. The basis of this seems to be that up to the present they have not given rise to serious practical difficulties. My view is that this is a complete mis-reading of the present situation. Very little has happened yet about the determination of salary scales following on the application of the Royal Commission's recommendations as amended by the Package settlement of 1956. With the completion of the Clerical Officer Pay Research Unit Exercise in the early months of this year, and the Exercises now being undertaken or to be undertaken in the very near future in respect of the Executive and Administrative classes and the linked Departmental Technical classes, Architectural and Engineering Draughtsmen and the Works Group of Professional classes, an entirely different situation may, and indeed, is likely to develop in the course of the next twelve months. The National Staff Side's reservations are:

- (i) The Report recognised that it was not possible to make satisfactory work comparisons for all grades in all classes. In the Staff Side's view, therefore, a comparison could only be fair where there was a reasonably wide field in which to operate.
- (ii) It would be almost impossible to find absolute parity of conditions outside, therefore the field of comparison must be flexible, not rigid.
- (iii) The Staff Side did not accept the Royal Commission's view that the absence of well-organised outside Trade Unions must not be taken into account. The Royal Commission had based this view on the fact that it would be "unfair to the outside counterpart who, as a taxpayer has to bear a proportion of the cost of the Civil Servant's salary." In the Staff Side's opinion, it would be equally unfair to the Civil Servant to reflect inadequate outside pay in his.
- (iv) In cases where the State was the largest single employer, it was the Staff Side's view that outside comparison could only form a small part of the assessment of pay, and the Government must set a standard. This had been done in the case of medical and dental practitioners.
- (v) Where the Government was the sole employer, and there were no outside comparisons, then the Government must set a standard of pay which was sufficient to attract recruits. It had a special responsibility in this respect.
- (vi) In some cases where there were outside comparisons, the pay might be too low, and the Government should set a higher standard to prevent the standard of the Civil Service generally from falling. It was not simply a matter of fixing basic pay: it was necessary to recruit the

people who in later years would fill the higher managerial posts. This led the Staff Side to reject the Royal Commission's view that it would be wrong for Civil Service pay to give a lead; in their view in some cases it might be necessary to lead. The Civil Service had a special responsibility to the public and had to account for its actions in a way not required by private industry. It demanded a high standard of integrity, and it would be wrong for it to be tied to outside comparisons irrespective of the standards which it required itself.

- (vii) Internal relativities: The Staff Side view was that in some cases fair comparison would have to be supplemented by reference to internal relativities, and in others internal relativities would be the governing factor as outside comparisons would not exist."

It will be seen that several of the Staff Side's reservations are important modifications, some might say rejections, of the Priestley formula of fair comparisons.

The suggestion on page 180 that a report of the Pay Research Unit does in the result provide a fairly narrow range within which negotiations can take place, is certainly not being borne out by, at any rate, some of the Reports that are being produced. The definition of "good employer" which seemed reasonably easy at first sight, in practice proves far more difficult. Once one is dealing with grades above the basic in the Civil Service, how many employers can be found in private industry who determine salary scales or salaries, or general conditions of service, in consultation with the appropriate Trade Union? Another difficulty is that some employers are obviously more co-operative than others and, furthermore, that the calls that the Pay Research Unit can make on private, commercial and industrial organisations, is obviously limited, so that Departments and Staff Associations who have to provide substantial lists of organisations for consideration for enquiry so that the actual choice by the Pay Research Unit can ensure anonymity, find themselves producing not first-line choices, not even second or third-line choices, but sixth-line choices. In the end, therefore, the list tends to be less a list of "good" employers, than a representative list of employers. It has already been found that one can find no fewer than a score of medians or quartiles on a particular report, and the deductions that can be drawn from these various renderings is enormously wide. It is true that the production of the Pay Research Unit alters the form negotiations take, but that it simplifies or narrows them, is certainly very much open to question.

Yours faithfully,

STANLEY MAYNE,

General Secretary of the Institution of
Civil Servants.

25th June, 1958.

INSTITUTE NEWS

Australian Groups

THE Chairman, Mr. Kenrick, and other members of the Executive Council entertained two leading members of the Institute's Australian Groups who were recently in London. They were Mr. J. A. Aird, an Hon. Life Member of the Institute and for many years Secretary of the Victorian Regional Group, and Mr. J. G. Crawford, Secretary of the Commonwealth Department of Trade and a member of the Canberra Regional Group Council.

Representatives of the Groups in Australia met together some time ago at Canberra to consider how best they might undertake certain activities jointly to advance the Institute's work. This development is not intended to change the position of the individual Groups, but rather to supplement their work.

Diploma in Government Administration

THE results of the first examinations for the Diploma in Government Administration which the Institute was mainly responsible for developing have just been published. One candidate, Mr. Nevil Johnson, a Principal in the Ministry of Supply, who was exempt from the Intermediate Examination, entered for both parts of the Final and was successful. He was the only candidate to do this, and he therefore becomes the first holder of the Diploma in Government Administration. Two other candidates, Mr. Bradbury, an Executive Officer at the Air Ministry, and Mr. Hurst, a Higher Executive Officer of the Ministry of Pensions and National Insurance, each successfully took one part of the Final Examination.

Of the eighty-eight students who sat for the Intermediate Examination, fifty-eight (66 per cent.) were successful. An analysis of the Intermediate results shows that, of those who passed, seven were Higher Executive Officers, thirty Executive Officers and four Clerical Officers; seventeen were in departmental grades. The majority of candidates were between the ages of thirty and forty.

It is hoped next year to adapt the syllabus for the Diploma in Government Administration to make it more suitable for Scottish Civil Servants who wish to qualify for entry to it.

Mr. D. N. Chester visits South Africa

MR. D. N. CHESTER, Hon. Editor of this *Journal* and Warden of Nuffield College, Oxford, has visited South Africa during the summer vacation. He spent most of his time at Witwatersrand University, Johannesburg. On his return he visited the Rhodesias and Kenya, and also stayed in Rome for the Congress of the International Political Science Association.

Forthcoming Conferences

IN view of the success of the conference for Councillors on some of the basic problems which arise in Local Government Administration it has been decided to arrange conferences of a similar kind for members of hospital authorities. The first of these will take place at Brooklands County Technical College, Weybridge, on 7th and 8th November, when the programme will include talks on the *National Health Service and the Position of Hospital Authorities, Regional Hospital Boards and the Ministry*, by Kenneth Robinson, M.P., *The Work of the Chairman, Members and Principal Officers in Group Management*, by Sir Stephen Green, and *Running the Hospital*—a panel discussion.

Preliminary arrangements are now going ahead for a conference to be held at Pembroke College, Cambridge, in July, 1959, for Ministers and Senior Officials of Commonwealth Governments on the subject of *Administrative Organisation for Economic Development*. This conference will last for ten days and will follow the lines of the one held at Cambridge in 1955 on the *Development of Local Government in the Colonies*.

London Lectures

THE autumn series of lectures in London will be devoted to *Government and Industry*. They will start on Monday, 27th October, and will continue for five weeks. Among the speakers will be Dame Alix Meynell, D.B.E., Sir Edgar Cohen, K.C.M.G., and Sir Raymond Streat, K.B.E.

The Growth of Industrial Economies

W. G. HOFFMANN

translated from the German by
W. O. HENDERSON & W. H. CHALONER

A study of the genesis and progress of industrialisation in the older countries, and an attempt to establish laws of growth in the relationship between capital-goods and consumer-goods industries. *About 25s. net*

European Volunteer Workers in Britain

J. A. TANNAHILL

with a foreword by
W. J. M. MACKENZIE

Based on official documents and personal interview, this book describes the evolution of official policy concerning the settlement in work in Britain of displaced persons from Europe. A sample survey shows what has since happened to the immigrants. *18s. net*

The Birth of a Plural Society

L. H. GANN

The history of the development of Northern Rhodesia under the British South Africa Company, 1894-1914, showing how Africans, missionaries, administrators and settlers together formed a complex society. *25s. net*

The Making of an Administrator

Edited by A. DUNSIRE

In these lectures commemorating the centenary of the Northcote-Trevelyan report on the Civil Service Sir Edward Bridges, D. K. Clarke, Lt.-Col. L. F. Urwick, Sir Harold Banwell and Sir Henry Self discuss training for administration, the qualities required and the responsibilities involved. '... as good a general introduction to the subject as is probably possible.'—*British Institute of Management Bulletin*. *2nd imp.* *10s. 6d. net*

MANCHESTER UNIVERSITY PRESS

*All enquiries regarding advertising
in this yublication should be sent to*

**EVERSLEY
PUBLICATIONS**

33 34 Craven Street, Strand, W.C.2
Tel: WHI. 4161

British Public Finance and Administration 1774-92

J. E. D. Binney

This book shows something of the British system of financial administration at the outbreak of the War of American Independence, and traces the initial steps in its comprehensive overhaul and modernization. It makes a contribution to the administrative history of the late eighteenth century, with especial attention to contemporary methods of business. *45s. net*

Oxford University Press

BOOK REVIEWS

Russian Political Institutions

By DEREK J. R. SCOTT. George Allen & Unwin Ltd. Pp. 265. 21s. (cloth), 16s. (boards).

WHEN Mr. Max Beloff delivered his inaugural lecture as Gladstone Professor of Government and Administration at Oxford in February, 1958, he urged the study of Russian political institutions, which, he said, had been too often left to specialists who wrote for one another. We must hope that with both Oxford politics professors fluent Russian linguists something will be done.

Meanwhile we must be grateful to the lively Department of Government and Administration at Manchester for encouraging one of their younger lecturers with a knowledge of the language to write a straightforward account of Russian political institutions. Mr. Scott very properly begins with an illuminating explanation of what Russian politics are about and sets the historical and ideological background for his later chapters. He does not follow the fashionable trend of starting with the Communist Party first, but as a political scientist gives us the constitutional framework and the conventional state machinery before embarking on the Party in his longest chapter.

Nor does he stop here. Since Russian "government" comprises virtually the whole of society he finds it necessary to deal with other aspects of Russian life (agriculture, the legal system, education, and the economy) in two final chapters. Altogether we are given a detailed, penetrating, comprehensive and up-to-date (mid-1957) picture of the U.S.S.R.

It is true that like so many books on this controversial topic it has its bias (in this instance anti-Soviet). But the occasional inferences for which there is little evidence one way or another are no worse than those of many authorities in this field. And no doubt the experts will think they could have written a better book.

Yet there are several occasions in the book when Mr. Scott puts over the feel

of life by those who participate in the administration of Russian government very well, e.g., pages 53-55, 110-111. He frequently supplies us with useful information which other commentators omit, for example the dates of party congresses as well as their number.

The main general criticism is that the book is not clearly the student's handbook which it purports to be. Mr. Scott is perhaps a little too anxious to show that he knows his subject to put himself in the position of the student. There are no maps and no diagrams, but a great deal of information which is not easily comprehensible without them, e.g., the various praesidia in Chapters 3 and 4 and the statistics on p. 204. His chapters and paragraphs are too long for a textbook and often too packed with detail for the broad picture to emerge. Chapter 4, "The Party," is a long 55 pages and on several occasions the paragraphs exceed a page, one being no less than 2 pages in length. The bibliography is brief and the index makes no reference to authors and books which are mentioned only in footnotes. The publishers have not made reading easier by choosing 10 pt. Plantin as the type. Both author and publisher might have learnt from Mr. Carew Hunt's presentation of *The Theory and Practice of Communism*.

However, the fact remains that Mr. Scott has been bold enough to venture into difficult territory. It would be untrue to say that as a result of his pioneering efforts he has made Russian government as intelligible to the layman as American or French, but that is hardly his fault. There is certainly no comparable British work of 250 pages in which, for only 21s., we are given such an introduction—and more—to the workings of the political institutions of the U.S.S.R.

D. V. VERNEY

Some comparative aspects of Irish law

By A. G. DONALDSON. Duke University Press, Durham, N.C., and Cambridge University Press, 1957. Pp. xii+293. 45s.

ONE of the features of the Commonwealth—indeed, it is usually claimed, one of its sources of strength—is its flexibility. It is appropriate, therefore, that the approach of the Duke University Commonwealth Studies Centre should be supple enough for the third of its Commonwealth monographs to be a work on Ireland, all Ireland, though neither part has, nor apparently desires, Commonwealth status.

With its subordinate legislature "identical with no other Commonwealth constitution but bearing traces of several"; with London-Belfast relationships throwing up parallels with the federal relationships in Australia and Canada; and with the possibility of its offering a guide for the future status of Malta or Scotland, Northern Ireland is clearly a proper object of Commonwealth studies. Mr. Donaldson's book brings home to us, however, the surprising extent to which, for purposes of study, it is useful and even essential to regard Northern Ireland as a Commonwealth member.

With the position of the Irish Free State as a formal member of the Commonwealth until 1937 and its important, even leading, rôle in the development of dominion status in the decade 1922-32; with the equivocal "include me out; exclude me in" status of Eire from 1937, which none the less foreshadowed the looser Commonwealth ties worked out by India and others, the South has a place in Commonwealth studies also. Nor is that place merely in the past history of the Commonwealth, for the legal and governmental structure and political development of the "Republic of Ireland" are still squarely in the same tradition and pattern, while the Irish Constitution of 1937 has attracted much attention in those Asian countries which have recently achieved their sovereignty in the Commonwealth. Indeed, as Mr. Donaldson points out, "the most interesting comparisons which may be drawn are not with the constitutions of the older Dominions, but with those of the newer members of the

Commonwealth, where some of the Irish provisions appear with only verbal changes." Finally, the development of law through judicial decision reveals that the judiciaries of Ireland, both North and South, are still very much in and of the one system, looking to, and being looked at by, other Commonwealth judiciaries in the search for principles and precedents.

These connections and parallels, this interaction and influence, form in fact the main theme of Mr. Donaldson's book. In field after field—the development of the law and legal systems, Dominion status, governmental institutions, administrative law, judicial scrutiny—he sketches Irish developments, draws parallels with other Commonwealth countries and points contrasts, the sort of contrasts that are so illuminating because they occur within the limits of a common tradition and pattern. Again and again he points to the need for, and the almost certain fruitfulness of, comparative study in Commonwealth institutions and development. Mr. Donaldson is a lawyer and concentrates, therefore, more on constitutional and legal than on less formal political aspects. His thesis, however, undoubtedly applies also (though he does not himself apply it) to less formal aspects of politics, as indeed to many institutions and developments in the field of administration in Ireland. The development of parliament, the party system, cabinet government, the public service, in all these subjects there are obvious parallels and here, too, comparative study would certainly be fruitful.

In another way, also, this book is a mine of research topics, for Mr. Donaldson is all too often obliged apologetically to admit the sketchy nature of the work so far done on Irish legal and political institutions and to plead for more research. Since this is undoubtedly true, his book will itself be a most useful addition to the meagre literature of Irish government and law.

BASIL CHUBB

Voluntary Societies and Social Policy

By MADELINE ROOFF. Routledge & Kegan Paul, 1957. Pp. 320. 35s.

THE main purpose of Miss Rooff's book is "to throw some light on the changing rôle of voluntary organisations and their relation with statutory bodies in the provision of the British social services" (p. xi). A modest purpose is systematically approached; Part I deals with influences affecting Social Policy and voluntary action in the 19th and early 20th centuries; Parts II, III and IV provide detailed historical studies of three selected fields of social service. The maternity and child welfare movement, the mental health services and the welfare of the blind; Part V summarises the pattern of development, the main forms of relationship between voluntary and statutory bodies, and the contribution which may be expected from combined action in the development of our social services in the future.

In 24 pages it is not possible to do much more than summarise the main influences affecting the development of voluntary services in the 19th and early 20th centuries; but some such prelude was necessary to what follows, and Miss Rooff reminds us of what is important even if she fails to startle us with anything that is new.

The development of three selected social services from their 19th century beginnings to the 1950s is, on the other hand, traced with a wealth of detail, bringing together for the student of social administration much new and interesting material (for example, an analysis of the L.C.C.'s expenditure, directly and through voluntary associations, on these services from 1948-1955).

In all these fields more attention is paid to those voluntary organisations which experimented in different forms of community care rather than in residential institutions. As Miss Rooff wisely points out: "Care within the community in the sphere of mental health obviously calls for workers with skill and experience, who can see the patient in relation to his family and environment; yet it would seem that far too little thought has been given to this problem. The proved urgency of institutional needs is something which the public can more readily appreciate. Facts concerning shortages of

beds or nurses 'speak for themselves'! The more intangible needs of a preventive service in community care require greater imagination and insight to be fully appreciated" (p. 80).

She illustrates this well, showing how the persistent, pioneering work of the Central and Local Associations for Mental Welfare for the community care of mental defectives (including ascertainment and supervision, occupation centres, guardianship and employment schemes, clubs and holiday camps, training courses for workers), and of the Mental After Care Association for the mentally ill, was given every encouragement by the Board of Control and led to many and various schemes of co-operation with local authorities.

But progress was slow and the services patchy. Now that the National Health Service and National Assistance Acts have laid on local authorities the primary responsibility for "securing the provision" of comprehensive services for care within the community of the aged and handicapped, and that the Royal Commission on Law relation to Mental Illness and Mental Deficiency recommends an extension and strengthening of the local authorities' services for the mentally ill and mental defectives, we shall need all the "imagination and insight" we can muster to explore and promote the many and varied forms which community care can take. We still need the enthusiasm and initiative of live voluntary societies, at both national and local levels, to provide that specialist knowledge and interest in the needs of particular groups, in order to spur on, and where convenient to act on behalf of, a ministry and local authorities.

At the same time, as Miss Rooff shows, effective community services depend as much on good co-operation between those with specialist interests, whether social workers or committee members, as between statutory and voluntary organisations. At the local level fruitful co-operation depends ultimately on people, on their energy and enthusiasm, on their wisdom and ability to see beyond the means of one kind of organisation or another to the end—the alleviation of distress and the

enabling of all who are handicapped in any way to lead a fuller and more satisfying life.

Miss Rooft suggests, and let us hope that she provokes, more local studies of the interaction of voluntary societies and local authorities in the development of particular fields of social service. In such studies it should be possible to see more clearly the part played by individual people in influencing the relationship between statutory and voluntary bodies and between the various specialist interests. Would such studies bear out Miss Rooft's conclusions: "In some fortunate areas local interest and initiative inspired both statutory and voluntary bodies to fine achievement. In others indifference affected all agencies, and the result was a meagre and impoverished service. Con-

sequently citizens today may be well—or ill—served according to the tradition of the locality in which they chance to live" (p. 270).

No one who cannot tolerate untidiness should write about voluntary organisations. Miss Rooft has a nice appreciation of the nature of voluntary societies, but at the same time shows how little validity there is in many of the superficial generalisations made about them and about the respective rôles of statutory and voluntary organisations. One would like to think that this book will be widely read, but her somewhat laborious style and her lack of vigour in driving home some of the very excellent points she makes may deter the less keen and determined reader.

BARBARA RODGERS

The Ministry of Pensions and National Insurance

By SIR GEOFFREY S. KING. Allen and Unwin, 1958. Pp. 162. 18s.

THIS further addition to the New Whitehall Series describes the organisation of the Ministry; its main responsibilities, war pensions, sickness benefit, etc.; how insurance is financed, how claims are

handled and so on. It is very informative, accurate and painstaking but not the least exciting.

D. N. CHESTER

Managers: a Study of their careers in industry

By R. V. CLEMENTS. George Allen & Unwin Ltd. Pp. 200. 20s.

Is it possible to group managers into "ideal types" to which most of their careers conform? If so, what are the relations of one type with another? Is it possible, for example, to say that an Arts graduate or an accountant entering industry is likely to have a particular type of career? What is the educational and social background of top management? What proportion of top managers were trained as accountants or salesmen and what influence does their previous specialism have on the quality of their work in general management? What is the influence of social origin upon a type of career and the ceiling which a manager is likely to reach? How are managers recruited, selected and trained? What is the place and effect of specialism? Is there a special and identifiable "managerial ability"? Do managers form a homogeneous elite?

These are all interesting questions, though not all of equal importance nor equally capable of being answered. In order to answer them, Mr. Clements interviewed some 670 managers drawn from 26 private manufacturing firms in Lancashire and north-east Cheshire. All were old-established firms. Some employed less than a thousand, some up to ten thousand people. No clear definition of the term "manager" was used, a minimum salary of £800 a year being employed as a rough guide.

Mr. Clements groups these managers into six categories. The Crown Princes (28), members of families controlling the firms in which they work: men who begin as managerial trainees (68), (in the same district I have heard the term "Crown Princes" applied to this category as well as the previous one): the expert trained before entering industry (130),

chiefly grammar school and provincial university graduates in science and technology, qualified accountants or men who have qualified in non-degree courses in technical or personnel management: special entrants (79), men who did not start at the bottom nor yet in one of the three categories previously mentioned and who were given good chances of promotion rather than being earmarked for it; more than half of these are in the commercial side of industry: men who rose from the bottom after leaving school late (114), chiefly from middle or lower-middle class homes: men who rose from the bottom after leaving school early (227), chiefly from working-class homes.

Mr. Clements readily admits that the small size and highly localised character of his sample makes it impossible to draw from it conclusions of national significance. His approach to the subject of industrial management is that of a social scientist and his book shows some of the inevitable characteristics of modern social science. The careful and scientific recording of facts is apt to be interspersed with sudden moral pronouncements, while conclusions are apt to be hedged in interrogative form or in phrases such as "it may well be" or "there are many who think." On the other hand, some of his firmer conclusions seem to me to be questionable: for example, that men now leaving school at 15 "will probably have little more chance of getting high qualifications or of

getting on to managerial training schemes" than the 227 managers in his category 6.

As a social scientist, Mr. Clements is greatly concerned with class distinction and its effects and with the question as to how far the nature and functions of management can be identified, whether managers form an élite, or whether management can be regarded as a profession. It is true, as he says, that there is scope for more investigation into the nature of management and also into the question of how men should be recruited and trained to carry out those functions. It is doubtful, however, whether these questions can be pursued without some experience gained by acting in a responsible management capacity. The one outstanding study of British industry, and one which profitably illuminates some of the questions examined by Mr. Clements, is "Industry and Technical Progress," in the writing of which Professors Carter and Williams drew upon the knowledge and experience of men in industry itself as well as from universities, and in which they were assisted by a team of research assistants. Interesting and, within its declared limits, useful as Mr. Clements' book is, it raises a doubt as to whether much progress can be made in answering the questions which he raises except by a more thorough method of investigation coupled with a view of industry which is not only external but also detached.

NORMAN FISHER

Sixteen Questions about the Selection and Training of Managers

By LYNDALL F. URWICK. Urwick, Orr & Partners Ltd., 1958. Pp. 36. 2s. 6d.

ASSUMING that executives have but little time or inclination to read, Colonel Urwick has set out, in pithy phrases, some of the essential questions that need to be answered when selecting and training managers. The reader's immediate reaction is one of disappointment that three or four of the sixteen questions are dealt with so briefly that they fail to say anything of real value. Close examination of some questions is very rewarding; by well chosen phrases the reader clearly can see the relevant make-up of the "Whole Man" under consideration—his heredity, environment, education; his social and professional experience.

The various ways of assessing candidates are set out in such a way as to give the busy manager perspective, and within the limits of only a page or two, management training for immediate needs and for long-term development are compared. Executive performance should be improved by widening job experience and by further education as described but, although the pamphlet hints at some valuable steps that might be taken in this regard, the brevity of the treatment tends to make these chapters somewhat frustrating.

When looking at a booklet of this type, that deals with separate, even if related,

questions, one is tempted to pick out a particular question that is of great interest and which is dealt with in a new dynamic way. If this were done with this publication, the reader would be likely to choose the fifteenth question—that of relating promotion policy to executive development. It should be challenged that Colonel Urwick is in fact quite up to date when he says that there is pressure for an increasing reliance in seniority in the Civil Service—this is certainly not true of some of the larger departments, including the Post Office, where the need for senior officers with years of service before them has made seniority less important than it was a few years ago. The Civil Service Staff Associations have adopted a most enlightened attitude towards a dynamic promotion policy and would go a long way with Colonel Urwick

as far as his ideas on promotion are set out in his note on this subject.

The author's world-wide experience and study of management development is too valuable to be rationed to this extent, and an extra ten pages or so would still have kept the booklet to pocket size and yet have been within the reading time capacity of the many managers who are ready to invest some of their valuable time in reading authoritative material on this vital subject. Many will hope that more original work by Lyndall Urwick will be published in booklet form, directed to the busy reader in management without reducing material so far that important reasons for recommendations are omitted, and only well-shaped bones remain which cannot make the impact of a living contribution to industrial society.

JOHN SARGENT

Three Steps to Victory

By SIR ROBERT WATSON-WATT. Odhams Press Ltd., 1957. Pp. 480. 30s.

THE three steps are: the Instantaneous Visual Radio Direction Finder; Radar; and Operational Research. To these Sir Robert adds a further "half step": "my dictatorial acceleration of Very High Frequency Radiotelephony for fighter command."

The interest of this book transcends the technology of these devices. It lies at least as much in how organisational difficulties were overcome and how human inhibitions and obstructions were surmounted or sidetracked. Truly the way of the innovator is hard, and it is doubly so when his only line of advance means adapting to strange purposes the administrative machinery of Government Departments and of the Defence Services. Sir Robert sums up—"I have toiled with great comrades; I have wrestled with preventive men. In my experience I have found that hatred, envy, jealousy, malice, bitterness are the deficiency diseases of the mind—and that reasoned optimism, measured tolerance, constructive discontent, are its vitamins."

Two of the "three steps to victory" depend on the fact that electromagnetic energy is reflected from the metal parts of an aircraft and the reflected energy can be detected and interpreted. This was first officially demonstrated in

February, 1935. Its implications were at once realised by a few people, who then shouldered the gigantic task of bringing home to a multitude of others the meaning and potentialities of this experimental fact. A generation of officials and fighting men had to be won over before action commensurate with the opportunity could be taken. New organisations to exploit new techniques had to be created, personnel had to be collected and trained, scarce resources diverted from other claimants, and a bewildering hotchpotch of things had to be done to bridge the gap between successful experiments and effective large-scale operational use of what ultimately won world-wide recognition as radar. And all these things were done, thanks in no small measure to Watson-Watt's ruthless drive and single-minded determination. They were done in time to enable this new technology to make its decisive impact on national affairs within a mere five years. A development that, in peacetime, might have taken something like a quarter of a century, was crammed into five hectic years. Thus, when the Battle of Britain came in 1940, radar was ready. Air Chief Marshal Sir Keith Park, who commanded the fighter defences in the South of England, has put on record that "without the aid of radar I

firmly believe that we would probably have lost the Battle of Britain." This considerable achievement meant the prior winning of many a battle on the home front; battles waged not with bombs and aeroplanes, but with words, and on that well known and deadly battlefield the committee room.

Watson-Watt's book gives his account both of the technology of the discovery and development of radar and its offshoots, and of how the always nebulous seat of power in our democracy managed to mobilise men and materials to achieve quick success. It is a highly personal account, but none the worse for that. A man capable of stirring up in Government circles the turmoil needed to produce

results on such a scale and so quickly would not have done so if he had been burdened with undue modesty. He wasn't. He isn't. His book makes that clear. In his "Vicarious Synopsis" he quotes with approval the Duke of Wellington's saying, "By God! I don't think it would have been done if I had not been there."

But for Watson-Watt radar would not have been ready to play its part in the Battle of Britain. But for him, therefore, our life here and now might be unpleasantly different from what it is. So it is not for us now to complain of the noise if the blowing of his trumpet is, at times, a bit strident.

K. T. SPENCER

Parkinson's Law or The Pursuit of Progress

By C. NORTHCOTE PARKINSON. John Murray, 1958. Pp. 122. 12s. 6d.

IMMEDIATE comment on a joke is apt to be invidious—if only because a good one (and Professor Parkinson's little jest appeared so good, when first expounded in the *Economist*, as to bring a wry smile to the lips of the most dessicated bureaucrat) contains a necessary admixture of illusion. It is as if one's voice were raised in the course of a performance to explain precisely what the conjuror was doing. But when the entertainment is over, the applause begins to fade and the audience departs, still talking excitedly about the virtuosity of the performer, it is sometimes permissible to put in a word or two about the technique used to create the desired impression.

In the case of Parkinson's Law (now reprinted, under the title *Parkinson's Law or The Pursuit of Progress*, with nine other essays and illustrations by Osbert Lancaster) the technique is very interesting indeed. Take a proverbial half-truth (it is the busiest man who has time to spare). Re-state it in general terms (work expands so as to fill the time available for its completion). Apply it to a safe area (the field of public administration). Add a couple of "almost axiomatic statements" ((i) an official wants to multiply subordinates, not rivals, and (ii) officials make work for each other). Provide some suitably tendentious statistics. And—Hey Presto!

—one has demonstrated that there is a chronic tendency for bureaucrats to multiply, regardless of the quantity of work at hand.

All this is great fun, and enquiry suggests that Whitehall (long inured to jests of varying quality) has taken it in excellent part. But the satirist (like the illusionist) is always in some danger of being taken quite seriously by at least a minority of his audience. We all know, of course, that the lady has not actually been cut in half, and we have our doubts about the wine in the magic barrel. But that last rabbit the great man pulled out of his hat: surely now that was the real thing! The critics appear in Professor Parkinson's case to have thought they saw at least one or two real rabbits. "Professor Parkinson reveals," said one of them, according to the dust cover, "a devastatingly meticulous knowledge of reality." Another spoke of "frightening home truths," and yet another observed that "every painful piece of lunacy to which he refers is based on acute observation of things which actually do happen."

This is not, of course, the case. Many of the details in the original essay are cheerfully fictional; and the cast of official thought is quite other than is suggested. It is far less fashionable, for instance, than Professor Parkinson alleges to multiply

one's underlings: proximity to the sources of high policy is considered by the ambitious official to be much more important. And the processes of expansion (and contraction) within Departments are more subtle (though not always more obviously related to the needs of the moment) than Parkinson's Law implies. It will be something of a pity therefore if, when all the applause and all the laughter have died away, the Professor's deservedly wide audience were to go off with the impression that it has been vouchsafed—as he suggests, with his accustomed affectation of gravity, in his preface—"a glimpse of reality."

Doubtless, some of his readers will—though a glance at the other essays, in which a similar sleight of hand is employed with varying results, may help them to detect the imposture. One or two of these

essays are wickedly funny here and there; and the best of them—a description of the organisational malady of induced inferiority, attributable to incompetence and jealousy at the summit—is possibly more pointed than Parkinson's Law itself. But in most of them the satire is less effective and the element of farce more intrusive. The farther one reads on, in fact, the less funny the jokes appear—a process of diminishing satisfaction which is not peculiar, of course, to this book—or to this branch of literature. It appears, indeed, to be related to an underlying principle (properly termed Dunnill's Law) which postulates that (with certain rare and minor reservations) the more one writes the less one has to say.

FRANK DUNNILL

BOOK NOTES

People in Need

By CYRIL S. SMITH. George Allen and Unwin. Pp. 155. 21s.

MR. SMITH was appointed by the Dulwich College Mission "To investigate social needs with special attention to the Borough of Camberwell." The result of this report, in which he draws on the findings of a wide range of social surveys and a small (130 households only) enquiry made by himself in the borough, to arrive at some quite interesting, and some rather facile conclusions about contemporary social needs and the part which the individual, the family, the community and the State play in meeting them. Two short sections on leisure time services for young people and family welfare were evidently a useful guide to the Mission in developing its own policy, but are too slight to be of much general interest. There is a foreword by Lord Beveridge.

Families with Problems: A new approach

By the Council for Children's Welfare and the Fisher Group. Pp. 36. 2s.

THE sub-title of this booklet is "Some Proposals for Family Service and for changes in Juvenile Court Procedure based on evidence submitted to the Ingleby Committee by the Council for Children's Welfare and the Fisher Group." It is divided, as the sub-title suggests, into two parts. The first, on which both groups agreed, suggests the setting up of a new Family Service which would co-ordinate and to some extent replace the existing services. It is well known that at present each service—the Health Visitor, the Doctor, the Priest, the National Assistance man—works quite independently. The second part discusses current procedures in Juvenile Courts and suggests how these could be changed to co-ordinate the work

with that of a new Family Service. The emphasis of the proposals is not on making the State responsible for yet another part of family life, but rather on rationalising existing arrangements.

Local Government in Scotland

By the Scottish Home Department and the Central Office of Information. H.M.S.O. Pp. 48. 4s.

IN 8 short sections this booklet gives a full survey of the mechanics of local government in Scotland. The opening section gives an excellent although brief historical setting of the subject and the booklet is admirably produced with several illustrations and diagrams.

Public Service Board—Commonwealth of Australia

THE Board's report for 1956-57 (its 33rd) is as usual well produced and full of interest. During the year there has been an improvement in the recruitment and the easing of the situation has given the opportunity to review entrance standards. The Prime Minister has appointed a committee under the Chairmanship of Sir Richard Boyer "To inquire into and report to the Prime Minister on the recruitment, processes, standards of the Public Service. . . ." In addition to its own O and M inspection service the Board has appointed a business consultant to advise on business aspects of some of the major problems thrown up by method review.

The Future of the Welfare State

Seven Oxford Lectures. Conservative Political Centre. Pp. 87. 2s. 6d.

THE lecturers at the C.P.C. Summer School held at Oxford in 1957—whose lectures are reprinted in this booklet—were the Rt. Hon. Iain Macleod, M.P., George Schwartz, Richard Bailey, J. Enoch Powell, M.P., Professor W. J. M. Mackenzie, Dr. Mark Abrams and Peter Goldman. Their views on the future of the Welfare State often differ widely and make interesting and at times amusing reading. As a symposium, it is inconclusive; but Tories, Fabians and Independents all seem to agree that a safe future is by no means yet assured.

Politicians

By J. D. B. MILLER. Leicester University Press. Pp. 19. 1s.

THE inaugural lecture of the Professor of Politics discusses what politicians are, describes their rôle and discusses why politicians in the mass are so often disliked.

Les Nationalisations en France et à l'étranger

Tome 2. Edited by HENRY PUGET. Sirey. Pp. ix+350. No price shown.

THE second volume of this study gives factual descriptions of nationalisation overseas with little comment. The first three chapters cover various aspects of nationalisation in Great Britain after which are chapters on nationalisation in Bulgaria, Hungary, Poland, Czechoslovakia, Yugoslavia, Iran and Communist China. For British readers these last chapters are interesting and valuable for the information they give.

Encyclopaedia of Housing. Law and Practice

Edited by PERCY LAMB, Q.C. Sweet and Maxwell. Pp. Irregular. £7 7s.

SUCH a comprehensive work as this will be of immense value to Local Authority legal and other officers concerned with housing. It is divided into four parts. The first deals in a general way with the law of housing, with particular reference to the Consolidating Act of 1957. The second, third and fourth parts reproduce with full annotations the relevant Statutes, Rules and Orders and Circulars respectively. The encyclopaedia is attractively bound in loose leaf form so that amendments can be easily inserted. The publishers will provide all such amendments as changes in the law and practice require, for a service charge of two guineas per annum.

Training in Public Administration

United Nations Technical Assistance Administration, 1958. 1s. 9d.

By the summer of 1957 eleven training projects had been developed with the assistance of the United Nations; in Argentina, Brazil, Burma, Costa Rica, Egypt, Ethiopia, Iran, Israel, Libya,

BOOK NOTES

El Salvador and Turkey. Later that year a Working Party met at Geneva to review and evaluate the progress of these projects. The report is the result. It is a sober document full of sentences such as "A combination of academic staff and public servants will give the institution the necessary balance between theory and practice." No one or no country get their toes trodden on—at least not obviously so. But there is a good deal of simple common sense which is not without its advantages.

The I.P.C.S. Handbook, 1958

Published by the Institution of Professional Civil Servants. Pp. viii+439. 8s. 6d.

THE last edition of this valuable handbook was published in 1954. The new edition follows the same pattern although the historical matter included then has now been left out. It is intended mainly for the Professional, Scientific and Technical staffs of the Civil Service but it covers also the general conditions of employment applicable throughout the British Civil Service. An excellent index makes reference to any aspect of Civil Service employment extremely easy.

THE following books have been received for review:

Economic Planning, by GILBERT WALKER. Heinemann. 18s.

Exploration in Rôle Analysis—Studies of the School Superintendency Rôle, by NEAL GROSS, WARD S. MASON and ALEX W. McEACHERN. John Wiley & Sons, and Chapman and Hall. 70s.

Organised Business in France, by HENRY W. EHRLMANN. Oxford University Press. 60s.

Small Town in Mass Society—Class, Power and Religion in Rural Communities, by ARTHUR J. VIDICH and JOSEPH BENSMAN. Oxford University Press. 48s.

Technical Education and Social Change, by STEPHEN F. COTGROVE. Allen & Unwin. 25s.

National Wages Policy in War and Peace, by P. C. ROBERTS. Allen & Unwin. 15s.

Productivity and Economic Incentives, by J. P. DAVIDSON, P. SARGANT FLORENCE, N. S. ROSS and BARBARA GRAY. Allen & Unwin. 35s.

Meetings, by FRANK SHACKLETON. 4th Edition. Sweet & Maxwell. 30s.

The Bill of Rights, by LEARNED HAND. Oxford University Press. 20s.

Free Elections, by W. J. M. MACKENZIE. Allen & Unwin. 15s.

International Institutions, by PAUL REUTER. Allen & Unwin. 28s.

World Peace through World Law, by GRENVILLE CLARK and LOUIS B. SOHN. Oxford University Press. 60s.

The New India—Progress through Democracy, Planning Commission Government of India. Macmillan. 35s.

The House of Lords and Contemporary Politics, by P. A. BROMHEAD. Routledge and Kegan Paul. 30s.

Ideal and Practice in Public Administration, by EMMETTE S. REDFORD. University of Alabama Press. \$2.50

Parish Administration, by CHARLES ARNOLD-BAKER. Methuen & Co. Ltd. 42s.

The Development of the Soviet Budgetary System, by R. W. DAVIS. Cambridge University Press. 45s.

Survey Methods in Social Investigation, by C. A. MOSER. Heinemann. 35s.

An Encyclopaedia of Parliament, by NORMAN WILDING and PHILIP LAUNDY. Cassel. 63s.

A Breviate of Parliamentary Papers, 1900-1916, by P. and G. FORD. Blackwell. £4 12s. 6d.

The Study of Comparative Government and Politics, by GUNNAR HECKSCHER. Allen & Unwin. 18s.

The Government of Nova Scotia, by J. M. BECK. Oxford University Press. 45s.

British Transport Policy, by J. R. SARGENT. Oxford University Press. 15s.

RECENT GOVERNMENT PUBLICATIONS

The following official publications issued by H.M.S.O. are of particular interest to those engaged in, or studying, public administration. The documents are available in the Library of the Institute.

Air Services. Appropriation account 1956-57. H.C. 55. pp. ix, 44. 1958. 2s. 6d.
Army. Appropriation account 1956-57. H.C. 56. pp. xvi, 49. 1958. 3s.

BOARD OF TRADE

Monopolies and Restrictive Acts, 1948 and 1953. Annual report for the year ending 31st December, 1957. H.C. 98. pp. 7. 1958. 6d.

BRITISH TRANSPORT COMMISSION

Annual report and accounts 1957. Vol. I: *Report* (H.C. 215-I). Vol. II: *Financial and statistical accounts* (H.C. 215-II). pp. iii, 80, viii, 281. 1958. 6s., 15s.

CENTRAL HEALTH SERVICES COUNCIL

Report of the C.H.S.C. for the year ended 31st December, 1957, preceded by a statement made by the Minister of Health. H.C. 210. pp. viii, 23. 1958. 1s. 6d.

CENTRAL TRANSPORT CONSULTATIVE COMMITTEE FOR GREAT BRITAIN

Annual report for the year ended 31st December, 1957. H.C. 131. pp. 15. 1958. 1s.

CHARITY COMMISSIONERS FOR ENGLAND AND WALES

Report of the Charity Commissioners for England and Wales 1957. pp. 47. 1958. 2s. 6d.

CIVIL APPROPRIATION ACCOUNTS 1956-57

Civil appropriation accounts (classes VI-X). H.C. 40. pp. xl, 267. 1958. 16s.

CIVIL ESTIMATES, 1958-59

Class I—Central government and Finance. H.C. 90-I. pp. 111, xv. 1958. 7s.

Class II—Commonwealth and foreign. H.C. 90-II. pp. 113, xv. 1958. 7s. 6d.

Class III—Home Department, law and justice. H.C. 90-III. pp. 145, xv. 1958. 8s. 6d.

Class V—Health, housing and local government. H.C. 90-V. pp. 166, xv. 1958. 9s.

Class VI—Trade, labour and supply. H.C. 90-VI. pp. 115, xv. 1958. 7s. 6d.

Class VII—Common services (works, stationery, etc.). H.C. 90-VII. pp. 105, xv. 1958. 7s.

Class VIII—Agriculture and food. H.C. 90-VIII. pp. 145, xv. 1958. 8s. 6d.

Class IX—Transport, power and industrial research. H.C. 90-IX. pp. 112, xv. 1958. 7s.

Class X—Pensions, national insurance and national assistance. H.C. 90-X. pp. 55, xv. 1958. 4s. 6d.

CIVIL ESTIMATES AND

ESTIMATES FOR REVENUE DEPARTMENTS, SESSION 1958-59

Index. H.C. 90-Ind. pp. 35. 1958. 2s. 6d.

Memorandum by the Financial Secretary to the Treasury. H.C. 90. pp. 42. 1958. 3s.

COLONIAL DEVELOPMENT AND WELFARE ACTS

Return of schemes made under the Colonial Development and Welfare Acts . . . 1st April, 1957, to 31st March, 1958. H.C. 223. pp. 35. 1958. 2s.

COMMITTEE OF PRIVILEGES

Report, session 1957-58. H.C. 227. pp. 4. 1958. 4d.

COMMITTEE OF PUBLIC ACCOUNTS

Second report session 1957-58—Virement between votes of Service departments. H.C. 213. pp. 5. 1958. 6d.

DEPARTMENT OF HEALTH FOR SCOTLAND

Housing procedure for local authorities (Scottish Housing Handbook Part 7). pp. 15. Rev. ed. 1958. 3s.

DEPARTMENT OF SCIENTIFIC AND INDUSTRIAL RESEARCH

Report of the National Physical Laboratory for 1957. pp. viii, 122. Illus. 1958. 6s. 6d.

RECENT GOVERNMENT PUBLICATIONS

Changes in organisation of N.P.L. recommended. Need for new buildings and greater number of Research Fellowships.

Report of the Research Council for the year 1956-57. Cmnd. 428. pp. 69. 1958. 4s.

EDUCATION, MINISTRY OF

Education in 1957. Being the report of the Ministry of Education and the statistics of public education for England and Wales. Cmnd. 454. pp. v, 198. 1958. 9s.

List of sandwich courses approved by the Ministry of Education in further education establishments in England and Wales. pp. 31. 1958. 1s. 6d.

Estimates for revenue departments 1958-59. H.C. 90-Rev. pp. 73, xv. 1958. 6s.

Finance Act, 1956. Advances to nationalised industries and undertakings (Minister of Power).

Account 1956-57. H.C. 109. pp. 6. 1958. 6d.

FOREIGN OFFICE

Yugoslavia No. 1 (1958)—Convention on social security between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Federal People's Republic of Yugoslavia, London, 24th May, 1958. Cmnd. 443. pp. 15. 1958. 1s.

H.M. INSPECTORS OF CONSTABULARY

Police. Counties and boroughs, England and Wales. Report for the year ending 30th September, 1957. H.C. 218. pp. 31. 1958. 1s. 6d.

HEALTH, MINISTRY OF

Cost of prescribing. Interim report of the Committee. pp. 11. 1958. 9d.

HOUSE OF COMMONS

Public income and expenditure for the year ended 31st March, 1958. H.C. 189. pp. 8. 1958. 6d.

HOUSING AND LOCAL GOVERNMENT, MINISTRY OF

Housing return for England and Wales, 31st March, 1958. Appendix. pp. 77. 1958. 4s.

Report of the Ministry of Housing and Local Government for 1957. Cmnd. 419. pp. xii, 199. 1958. 9s. 6d.

One of the most important events of 1957 was the passing of the Rent Act. More than 300,000 new dwellings completed in Great Britain. Bill introduced in November to effect extensive changes in local government syllabus of the country.

LABOUR, MINISTRY OF

Choice of careers New Series No. 85—Agriculture and horticulture (managerial and technical posts). pp. 40. 1958. 1s. 3d.

MEDICAL RESEARCH COUNCIL

Report of the Medical Research Council for the year 1955-56. Cmnd. 180. pp. vii, 270. 1957. 12s.

NATIONAL ASSISTANCE BOARD

Report for the year ended 31st December, 1957. Cmnd. 444. pp. 51. 1958. 3s.

NATIONAL HEALTH SERVICE (SCOTLAND)

ACTS 1947-52

Accounts 1956-57. H.C. 151. pp. 29. 1958. 2s.

NATIONAL HEALTH SERVICE ACTS 1946 TO 1952

Accounts 1956-57. H.C. 143. pp. iii, 41. 1958. 3s.

NATIONAL LAND FUND

Accounts 1956-57. H.C. 186. pp. 5. 1958. 6d.

NATIONAL RESEARCH DEVELOPMENT CORPORATION

Report and statement of accounts for the year 1st July, 1956, to 30th June, 1957. H.C. 99. pp. 30. 1958. 2s.

NAVY

Appropriation accounts 1956-57. H.C. 60. pp. ix, 46. 1958. 3s.

POST OFFICE

London Post Offices and streets, March, 1958. pp. 253. 1958. 1s. 9d.

Telephone policy. The next steps. Cmnd. 436. pp. 16. 1958. 1s.

POWER, MINISTRY OF

Capital investment in the coal, gas and electricity industries. Cmnd. 415. pp. 7. 1958. 6d.

Summarises programmes resulting from review of capital development pro-

PUBLIC ADMINISTRATION

grammes submitted by boards of industries concerned.

Report of the Committee of Inquiry into "Coal distribution costs in Great Britain." Cmnd. 446. pp. vi, 92. Folding diag. 1958. 5s. 6d.

Committee set up "to ascertain what are the various items which make up the difference between the prices received by producers of coal, coke and manufactured fuels in Great Britain and those paid by inland consumers; to investigate the merchants' distribution costs and profit margins in respect of these supplies and to make recommendations."

ROYAL COMMISSION ON COMMON LAND
Appendix to minutes of evidence. pp. 56. 1958. 3s.

SCOTTISH HOME DEPARTMENT
Criminal statistics Scotland 1957. Cmnd. 426. pp. 57. 1958. 4s.

Report of H.M. Inspector of Fire Services for Scotland for 1957. Cmnd. 425. pp. 19. 1958. 1s.

Report on prisons in Scotland for the year 1957. Cmnd. 429. pp. 49. 1958. 3s.

Return of rates in Scotland 1956-57 and 1957-58, rateable values 1957-58, population and area 1957. pp. 15. 1958. 1s.

SCOTTISH OFFICE
Department of Health for Scotland. Report for 1957. Cmnd. 385. pp. 150. 1958. 7s.
Ninety-fifth report of H.M. Inspector of Constabulary for Scotland for year 1956-57. Cmnd. 437. pp. 15. 1958. 1s.

SELECT COMMITTEE ON ESTIMATES, 1957-58
Second report—Ministry of Power. H.C. 198. pp. x, 128. 1958. 7s.

Fourth special report—Observations of the Minister of Health on the sixth report of the Committee in session 1956-57 (on Running Costs of Hospitals). H.C. 129. pp. 7. 1958. 6d.

SELECT COMMITTEE ON NATIONALISED INDUSTRIES (REPORTS AND ACCOUNTS)
Report from the Committee. H.C. 187. pp. 32. 1958. 1s. 6d.

Report from the Committee. H.C. 187-I. pp. xxxiv, 169. 1958. 9s. 6d.

SELECT COMMITTEE ON
STATUTORY INSTRUMENTS, 1957-58
Minutes of the proceedings of the Committee upon 11th March, 1958. H.C. II-VIII. p. 1. 1958. 3d.

Minutes of the proceedings of the Committee upon 25th March, 1958. H.C. II-IX. p. 1. 1958. 3d.

SOUTH OF SCOTLAND ELECTRICITY BOARD
Annual report and accounts 1957. H.C. 105. pp. vi, 45. Folding map. 1958. 4s.

TRANSPORT USERS' CONSULTATIVE COMMITTEE FOR SCOTLAND
Annual report for the year ended 31st December, 1957. H.C. 132. pp. 9. 1958. 9d.

TRANSPORT USERS' CONSULTATIVE COMMITTEE FOR WALES AND MONMOUTHSHIRE
Annual report for the year ended 31st December, 1957. H.C. 133. pp. 12. 1958. 1s.

TREASURY
Preliminary estimates of national income and expenditure 1952 to 1957. Cmnd. 398. pp. 13. 1958. 1s.

Staffs employed in Government departments. Cmnd. 442. p. 1. 1958. 4d.
United Kingdom balance of payments 1955 to 1957. Cmnd. 399. pp. 27. 1958. 1s. 3d.

TRUSTEE SAVINGS BANKS
Report of the Inspection Committee of Trustee Savings Banks for the year ended 20th November, 1957. Sixty-sixth annual report. pp. 15. 1958. 1s.

WORLD HEALTH ORGANISATION
Ten steps forward. World health 1948-58. pp. 68. 1957. 2s. 6d.

87-L

mittee
VIII.

mittee
I-IX.

BOARD
H.C.
4s.

31st
1958.

31st
1958.

income
1. 398.

ments.

1955
1958.

tee of
ended
annual

1948-